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PENNSYLVANIA BULLETIN

Volume 46

Number 29

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Pages 3779—3922

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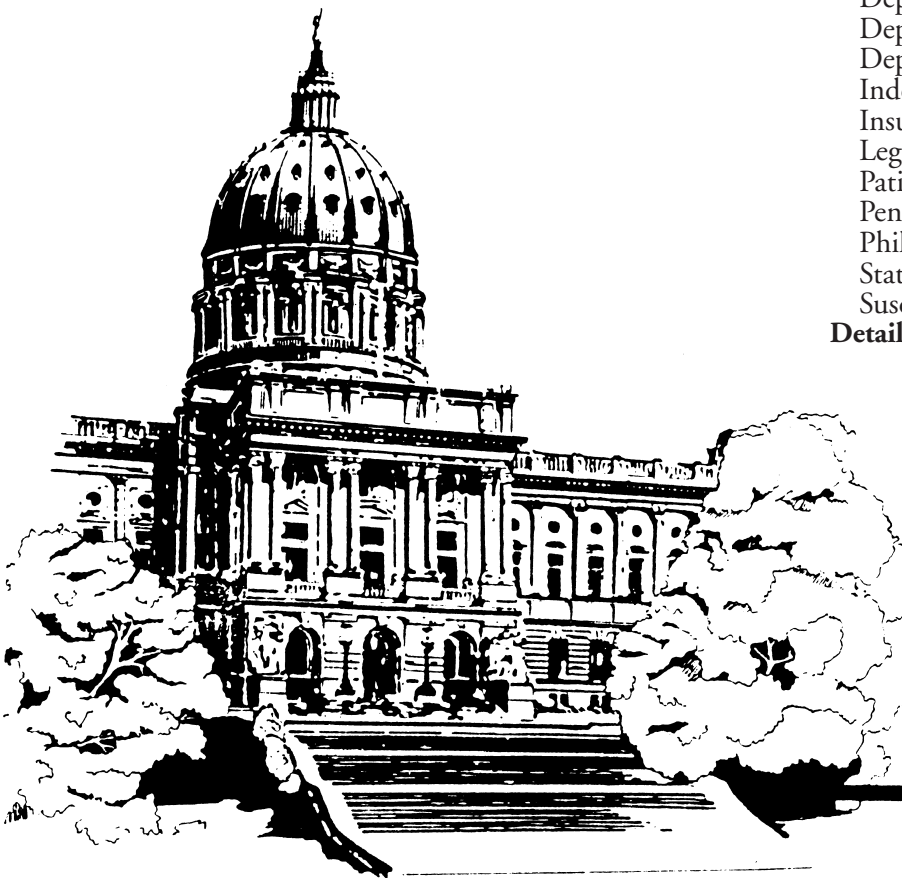
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No. 500, July 2016

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE PENNSYLVANIA CODE

Pennsylvania Bulletin

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

Citation to the *Pennsylvania Bulletin*

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

Pennsylvania Code

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at www.pacode.com.

Source Notes give the history of regulations. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm.

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at www.pabulletin.com.

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised. A fiscal note provides the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the 5 succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the 5 succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2016.

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THE GENERAL ASSEMBLY

Recent Actions during the 2016 Regular Session of the General Assembly

The following is a summary of recent actions of the General Assembly during the 2016 Regular Session:

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
2016 General Acts of Regular Session Enacted—Act 035 through 060					
035	Jun 1	HB1552	PN3373	Immediately*	Public School Code of 1949—powers and duties of Secretary of Education, student-weighted basic education funding, supplemental payment of basic education and making an appropriation
036	Jun 8	HB0150	PN2573	60 days	Vehicle Code (75 Pa.C.S.)—Share the Road plate
037	Jun 8	HB0608	PN3372	60 days	Controlled Substance, Drug, Device and Cosmetic Act—schedules of controlled substances, liquefied ammonia gas, precursors and chemicals and promulgation of regulations
038	Jun 8	HB1484	PN3338	Immediately	Soldiers' Grove—duties of Department of General Services, preservation of Soldiers' Grove and construction
039	Jun 8	HB1690	PN2653	60 days	Liquor Code—omnibus amendments
040	Jun 12	HB1436	PN2690	60 days	Public Utility Code (66 Pa.C.S.)—computation of income tax expense for ratemaking purposes
041	Jun 13	SB0590	PN0566	60 days	State System of Higher Education Intellectual Property Act—title amended
042	Jun 13	SB0847	PN1639	60 days	Military and Veterans Code (51 Pa.C.S.)—State Veterans' Commission
043	Jun 13	SB1152	PN1591	60 days	Vehicle Code (75 Pa.C.S.)—restraint systems
044	Jun 17	SB0061	PN1846	60 days	Vehicle Code (75 Pa.C.S.)—drivers of emergency vehicles
045	Jun 17	SB0489	PN1847	60 days	Check Casher Licensing Act—authority of department, conditions for licensing and for fees and charges, recovery of losses due to theft and fraudulent misrepresentation
046	Jun 17	SB1153	PN1807	60 days	Multiple designations in multiple counties
047	Jun 23	HB0057	PN0049	60 days	Public Utility Code (66 Pa.C.S.)—sliding scale of rates and adjustments and duties of natural gas distribution companies
048	Jun 23	HB0264	PN3367	90 days	Care Facility Carbon Monoxide Alarms Standards Act—enactment
049	Jun 23	HB1199	PN1574	60 days	Authorizing the Department of Highways to erect a bridge over Monongahela River—repealed
050	Jun 23	HB1241	PN3451	Immediately	Public Utility Code (66 Pa.C.S.)—definition of public utility
051	Jun 23	SB0179	PN0230	60 days	Lodging and Housing (48 Pa.C.S.)—omnibus amendments
052	Jun 23	SB0279	PN1903	Immediately	Pennsylvania Grade Crude Development Act—enactment
053	Jun 23	SB0772	PN1879	60 days	Professional Psychologists Practice Act—necessity and qualifications for license, refusal, suspension or revocation of license and reporting of multiple licensure

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
054	Jun 23	SB0837	PN1671	120 days	Social Workers, Marriage and Family Therapists and Professional Counselors Act—penalties
055	Jun 23	SB0983	PN1852	60 days	Vehicle Code (75 Pa.C.S.)—person with disability plate and placard
056	Jun 23	SB1077	PN1765	60 days	Crimes Code (18 Pa.C.S.)—exceptions to prohibition of interception and disclosure of communications
057	Jun 23	SB1195	PN1929	Immediately	Pennsylvania Greenhouse Gas Regulation Implementation Act—submission of State plan
058	Jun 23	SB1232	PN1760	Immediately	Conveyance—Commonwealth property in Rush Township, Centre County
059	Jun 30	HB1766	PN3382	Immediately	Insurance (40 Pa.C.S.)—omnibus amendments
060	Jun 30	HB1877	PN3321	Immediately	Health and Safety (35 Pa.C.S.)—omnibus amendments
2016 Joint Resolutions of Regular Session Passed—JR 002					
002	Jun 15	HB0147	PN0139		Constitution of Pennsylvania—exemptions and special provisions

* denotes an effective date with exceptions

Effective Dates of Statutes

The effective dates specified above for laws and appropriation acts were contained in the applicable law or appropriation act. Where no date is specified or where the effective date specified is prior to the date of enactment, the effective date is 60 days after final enactment except for statutes making appropriations or affecting budgets of political subdivisions. See 1 Pa.C.S. §§ 1701—1704 (relating to effective dates of statutes).

Advance Copies of Statutes

Section 1106 of Title 1 of the *Pennsylvania Consolidated Statutes* provides that the prothonotaries of each county shall file advance copies of statutes in their offices for public inspection until the *Laws of Pennsylvania* are generally available. Section 2406(h) of The Administrative Code of 1929 provides that the Department of General Services shall distribute advance sheets of the *Laws of Pennsylvania* to each law judge of the courts, to every county and public library of this Commonwealth and to each member of the General Assembly. These copies shall be furnished without charge. The Department shall also mail one copy of each law enacted during any legislative session to any person who pays to it the sum of \$25.

Requests for annual subscriptions for advance copies of statutes should be sent to the State Bookstore, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120, accompanied by a check or money order in the sum of \$25, payable to the “Commonwealth of Pennsylvania.”

VINCENT C. DeLIBERATO, Jr.,
Director
Legislative Reference Bureau

[Pa.B. Doc. No. 16-1196. Filed for public inspection July 15, 2016, 9:00 a.m.]

THE COURTS

Title 201—RULES OF JUDICIAL ADMINISTRATION

[201 PA. CODE CHS. 1 AND 19]

Order Amending Rules 103 and 1952 of the Rules of Judicial Administration; No. 465 Judicial Administration Doc.

Order

Per Curiam

And Now, this 28th day of June, 2016, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(b):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rules 103 and 1952 of the Pennsylvania Rules of Judicial Administration are amended in the following form.

2) Local rules of judicial administration effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(c)(7), as amended, no later than September 1, 2016 to remain effective.

3) All local rules of judicial administration that have been published in the *Pennsylvania Bulletin* but are not yet effective shall become effective in accordance with Pa.R.J.A. No. 103(c)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)—(7).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A

TITLE 201. RULES OF JUDICIAL ADMINISTRATION

CHAPTER 1. GENERAL PROVISIONS

Rule 103. Procedure for adoption, filing and publishing rules.

(a) *Notice of proposed rulemaking.*

(1) Except as provided in subdivision [(3)] (a)(3), the initial recommendation of a proposed [Rule,] rule or proposed [Rule] amendment [(), including the explanatory note that is to accompany the [Rule)] rule, shall be distributed by the proposing Rules Committee to the *Pennsylvania Bulletin* for publication therein. The publication notification shall contain a statement to the effect that comments regarding the proposed [Rule] rule or amendment are invited and should be sent directly to the proposing Rules Committee within a specified period of time.

(2) Written comments, suggestions or objections relating to the proposed [Rule] rule or amendment shall be sent directly to the proposing Rules Committee within a specified number of days after the [Rules'] publication of the rule or amendment in the *Pennsylvania Bulletin*, and any such commentary shall be reviewed by the said Committee prior to action on the proposal by the Supreme Court. Any further proposals which are based

upon the commentary so received need not be, but may be, published in the manner prescribed [herein] in subdivision (a)(1).

(3) A proposed rule or amendment may be promulgated even though it has not been previously distributed and published in the manner required by subdivisions [(1) and (2)] (a)(1) and (a)(2), where exigent circumstances require the immediate adoption of the proposal; or where the proposed amendment is of a typographical or perfunctory nature; or where in the discretion of the Supreme Court such action is otherwise required in the interests of justice or efficient administration.

(b) *Rules adopted by the Supreme Court.*

(1) Rules adopted by the Supreme Court shall be filed in the office of the Prothonotary of the Supreme Court [and in the Administrative Office].

(2) After an order adopting a rule or amendment has been filed with the Prothonotary of the Supreme Court, the Prothonotary shall forward a certified copy of the order and rule or amendment to:

(i) The publisher of the official version of Supreme Court decisions and opinions who shall cause it to be printed in the first available volume of the State Reports.

(ii) The prothonotaries or clerks of all courts, which may be affected thereby, and thereupon the order and rule or amendment shall be published by such prothonotaries or clerks in the same manner as local rules adopted by such courts.

(iii) The Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

(iv) The Administrative Office.

(c) *Rules of judicial administration adopted by other courts and by agencies of the [system] System.*

(1) As used in this subdivision, "local rule" shall include every rule, administrative order, regulation, directive, policy, custom, usage, form, or order of general application, however labeled or promulgated, which is adopted or enforced by a court, council, committee, board, commission or other agency of the unified judicial system to govern [practice or procedure but shall not include a rule of civil, domestic relations, criminal, or juvenile procedure] judicial administration. This subdivision shall also apply to any amendment of a local rule.

(2) [Rules] Local rules shall not be inconsistent with any general rule of the Supreme Court or any Act of Assembly.

(3) When a local rule under this subdivision corresponds to a [statewide] general rule, the local rule shall be given a number that is keyed to the number of the [statewide] general rule.

(4) **Reserved.**

[(4)] (5) All local rules shall be published in the *Pennsylvania Bulletin* to be effective and enforceable.

(i) **Reserved.**

[(i)] (ii) The adopting court or agency shall distribute two [certified] paper copies of the [rule and a copy of the] local rule to the Legislative Reference

Bureau for publication in the *Pennsylvania Bulletin*. The adopting court or agency also shall distribute to the Legislative Reference Bureau a copy of the local rule on a computer diskette [or on a], CD-ROM, or other agreed upon alternate format that complies with the requirements of 1 Pa. Code § 13.11(b) [to the Legislative Reference Bureau, or agreed upon alternate format, for publication in the *Pennsylvania Bulletin*].

[(ii)] (iii) The effective date of the local rule shall not be less than 30 days after the date of publication of the local rule in the *Pennsylvania Bulletin*.

[(5)] (6) Contemporaneously with publishing the local rule in the *Pennsylvania Bulletin*, the adopting court or agency shall [file one certified copy of the rule with the Administrative Office of Pennsylvania Courts. The Administrative Office shall assign a serial number to the rule, and shall note on the rule the serial number and the date of filing. A copy of the rule shall be available for public inspection and copying immediately upon filing.]:

[(6) The rules shall be kept continuously available for public inspection and copying in the office of the prothonotary or clerk of courts of the adopting court. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any rule.]

(i) file one copy of the local rule with the Administrative Office;

(ii) publish a copy of the local rule on the website of the court or county in which the adopting court has jurisdiction; and

(iii) thereafter compile the local rule within the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

(7) A compilation of local rules shall be kept continuously available for public inspection and copying in the respective filing office and on the website of the adopting court or county in which the adopting court has jurisdiction. Upon request and payment of reasonable costs of reproduction and mailing, the respective court office shall furnish a person with a copy of any local rule.

[(7)] (8) No pleading or other legal paper shall be refused for filing by the prothonotary or clerk of courts based on a requirement of a local rule unrelated to the payment of filing fees. No case shall be dismissed nor request for relief granted or denied because of failure to initially comply with a local rule. In any case of noncompliance with a local rule, the court shall alert the party to the specific provision at issue and provide a reasonable time for the party to comply with the local rule.

(d) *Rules of procedure adopted by other courts of the System.*

(1) For the purpose of this subdivision, the term "local rule" shall include every rule, administrative order, regulation, directive, policy, custom, usage, form or order of general application, however labeled or promulgated, which is adopted by a court of common pleas, the Philadelphia Municipal Court—Criminal Division, and the Philadelphia Municipal Court—Traffic Division, to govern practice

and procedure. This subdivision shall also apply to any amendment of a local rule.

(2) Local rules shall not be inconsistent with any general rule of the Supreme Court or any Act of Assembly. A Rules Committee, at any time, may recommend that the Supreme Court suspend, vacate, or require amendment of a local rule.

(3) Local rules shall be given numbers that are either keyed to the number of the general rules to which the local rules correspond or assigned by the general rules.

(4) All proposed local rules shall be submitted in writing to the appropriate Rules Committee for review. The adopting court shall not proceed with the proposed local rule until it receives written notification from the appropriate Rules Committee that the proposed local rule is not inconsistent with any general rule of the Supreme Court.

(5) All local rules shall be published in the *Pennsylvania Bulletin* to be effective and enforceable.

(i) The adopting court shall not publish the local rule in the *Pennsylvania Bulletin* until it has received the written notification pursuant to subdivision (d)(4).

(ii) The adopting court shall distribute two paper copies of the local rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The adopting court also shall distribute to the Legislative Reference Bureau a copy of the local rule on a computer diskette, CD-ROM, or other agreed upon alternate format that complies with the requirements of 1 Pa. Code § 13.11(b).

(iii) The effective date of the local rule shall not be less than 30 days after the date of publication of the local rule in the *Pennsylvania Bulletin*.

(6) Contemporaneously with publishing the local rule in the *Pennsylvania Bulletin*, the adopting court shall:

(i) file one copy of the local rule with the Administrative Office;

(ii) publish a copy of the local rule on the website of the court or county in which the adopting court has jurisdiction; and

(iii) incorporate the local rule in the complete set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*.

(7) A compilation of local rules shall be kept continuously available for public inspection and copying in the respective filing office and on the website of the adopting court or county in which the adopting court has jurisdiction. Upon request and payment of reasonable costs of reproduction and mailing, the respective court office shall furnish a person with a copy of any local rule.

(8) No pleading or other legal paper shall be refused for filing based upon a requirement of a local rule. No case shall be dismissed nor request for relief granted or denied because of failure to initially comply with a local rule. In any case of noncompliance with a local rule, the court shall alert the party to the specific provision at issue and provide a reasonable time for the party to comply with the local rule.

Official Note: The purpose of subdivisions (c) and (d) is to further the policy of the Supreme Court to implement the Unified Judicial System under the Constitution of 1968 and to facilitate the statewide practice of law under the Court's general rules. Local rules of judicial administration and local rules of procedure should not repeat general rules or statutory provisions verbatim or substantially verbatim nor should local rules make it difficult for attorneys to practice law in several counties. The provisions of subdivision (d) apply to local rules of procedure, but not to case-specific orders.

The caption or other words used as a label or designation shall not determine whether something is or establishes a rule; if the definition in [paragraph (c)(1) of this rule] subdivisions (c)(1) or (d)(1) is satisfied, the matter is a rule regardless of what it may be called. [The provisions of this rule also are intended to apply to any amendments to a rule. Nothing in this rule is intended to apply to case-specific orders.] Local rules "adopted by a court of common pleas" in subdivision (d)(1) is intended to include those local rules of procedure for proceedings before a magisterial district judge.

[Pursuant to paragraph (c)(1), local rules of civil, domestic relations, criminal, and juvenile procedure are not included within the scope of this rule. The procedures for adopting, filing, and publishing local rules of criminal, juvenile, domestic relations and civil procedure are governed by Rule of Criminal Procedure 105, Rules of Juvenile Court Procedure 121 and 1121, and Rules of Civil Procedure 239, 239.8 and 239.9.]

To simplify the use of rules, [paragraph (c)(3) requires rules] local rules are to be given numbers that are keyed to the number of the general rules to which the rules correspond unless numbers are specifically assigned. See, e.g., Pa.R.C.P. No. 239.1—239.7. This requirement is not intended to apply to local rules that govern general business of the court or agency and which do not correspond to a statewide rule.

[To further facilitate the statewide practice of law and accessibility by the public, the adopting court or agency should post and update its rules on its website.]

Subdivision (d)(4) requires that, before publishing a local rule of procedure or proceeding with any of the other requirements, the adopting court must submit all proposed local rules of procedure to the appropriate Rules Committee. For administrative convenience, proposed local rules of procedure may be sent to one email address (rulescommittees@pacourts.us) where the proposal will be distributed to the appropriate Rules Committee. Subdivision (d)(4) emphasizes that the adopting court must comply with all the provisions of this subdivision before any local rule will be effective and enforceable.

[Paragraph (c)(4) requires the rule to] To be effective, all local rules shall be published in the *Pennsylvania Bulletin* [to be effective]. Pursuant to 1 Pa. Code § 13.11(b)—(f), any documents that are submitted for publication must be accompanied by a diskette or CD-ROM formatted in MS-DOS, ASCII, Microsoft Word, or WordPerfect. The diskette or CD-ROM must be labeled

with the court's or agency's name and address and the rule's computer file name. Section 13.11(e) provides that documents may be accepted in an alternate format if it is requested by the court or agency and agreed upon by the Legislative Reference Bureau.

Although [under paragraph (c)(4)(ii)] a local rule shall not be effective until at least 30 days after the date of publication in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the court or agency may act by specific orders governing particular matters in the interim before an applicable local rule becomes effective.

[Paragraph (c)(5) requires one] One copy of the local rule [to] must also be filed with the Administrative Office [of Pennsylvania Courts]. When rules are forwarded to the Administrative Office, the adopting court or agency should indicate whether the rules have been distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* [and, if appropriate, submitted to the Criminal, Juvenile, Domestic Relations or Civil Procedural Rules Committees pursuant to their respective rules]. For administrative convenience, local rules of procedure and judicial administration may be sent to adminrules@pacourts.us for filing.

[The Administrative Office of the Pennsylvania Courts maintains a website containing local court rules at: <http://www.pacourts.us/courts/supreme-court/committees/rules-committees/local-rules-for-common-pleas-and-magisterial-district-courts/>

The Administrative Office of the Pennsylvania Courts also maintains a website containing all local criminal rules adopted or amended after February 1, 2009, local juvenile rules, and local civil rules adopted pursuant to Pa.R.C.P. 239.8 and 239.9 at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>]

New or amended local rules shall be timely compiled into the set of local rules to further facilitate the statewide practice of law, increase accessibility by the public, and maintain the currency of the requirement set forth in subdivisions (c)(7) and (d)(7).

Subdivisions (c)(7) and (d)(7) require that a separate consolidated set of local rules be maintained in the filing office, which may be the prothonotary, clerk of courts, clerk of orphans' court, or domestic relations section depending on the type of proceeding, and on the website of the adopting court or the county in which the adopting court has jurisdiction. It is intended that a complete and up-to-date set of local rules will be maintained on the website of the adopting court or the county in which the adopting court has jurisdiction.

The Administrative Office maintains a web page linking to the websites of the courts of common pleas. That web page is located at <http://www.pacourts.us/courts/courts-of-common-pleas/individual-county-courts>.

Under subdivision (c)(8) a filing may be rejected if it is not accompanied by the necessary filing fee unless a fee waiver request is pending or granted. See, e.g., Pa.R.C.P. No. 240.

**CHAPTER 19. MISCELLANEOUS
ADMINISTRATIVE PROVISIONS**

**CONTINUITY OF OPERATIONS, EMERGENCY
ACTIONS, EMERGENCY UNITS AND JUDICIAL
SECURITY**

Rule 1952. Emergency actions, duties and authorities.

* * * * *

(b) Role of the President Judge

* * * * *

(5) During an emergency, the provisions of any statewide procedural rules that require submission of local rules, including administrative orders, to the Supreme Court, the Administrative Office of Pennsylvania Courts, a statewide procedural rules committee, or the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, shall not apply to any local rules or administrative orders issued in response to the emergency. The president judge of the affected judicial district shall inform the Supreme Court of any local rule or administrative order issued under this paragraph as soon as practicable.

Official Note: See [Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, and Pa.R.J.C.P. 121] Pa.R.J.A. No. 103(c) and (d) for local rule adoption procedures.

* * * * *

[Pa.B. Doc. No. 16-1197. Filed for public inspection July 15, 2016, 9:00 a.m.]

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. IX]

Proposed Amendment of Comment to Pa.R.E. 902

Proposed amendment of the Comment to Pa.R.E. 902 governing self-authentication is being published for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Daniel A. Durst, Counsel
Committee on Rules of Evidence
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717.231.9536
evidencerules@pacourts.us

All communications in reference to the proposal should be received by September 1, 2016. E-mail is the preferred

method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Committee on
Rules of Evidence*

THOMAS W. DOLGENOS, Esq.,
Chair

Annex A

TITLE 225. RULES OF EVIDENCE

**ARTICLE IX. AUTHENTICATION AND
IDENTIFICATION**

Rule 902. Evidence That is Self-Authenticating.

The following items of evidence are self-authenticating; they require no extrinsic evidence of authenticity in order to be admitted:

(1) *Domestic Public Documents That Are Sealed and Signed.* A document that bears:

(A) a seal purporting to be that of the United States; any state, district, commonwealth, territory, or insular possession of the United States; the former Panama Canal Zone; the Trust Territory of the Pacific Islands; a political subdivision of any of these entities; or a department, agency, or officer of any entity named above; and

(B) a signature purporting to be an execution or attestation.

(2) *Domestic Public Documents That Are Not Sealed But Are Signed and Certified.* A document that bears no seal if:

(A) it bears the signature of an officer or employee of an entity named in Rule 902(1)(A); and

(B) another public officer who has a seal and official duties within that same entity certifies under seal—or its equivalent—that the signer has the official capacity and that the signature is genuine.

(3) *Foreign Public Documents.* A document that purports to be signed or attested by a person who is authorized by a foreign country's law to do so. The document must be accompanied by a final certification that certifies the genuineness of the signature and official position of the signer or attester—or of any foreign official whose certificate of genuineness relates to the signature or attestation or is in a chain of certificates of genuineness relating to the signature or attestation. The certification may be made by a secretary of a United States embassy or legation; by a consul general, vice consul, or consular agent of the United States; or by a diplomatic or consular official of the foreign country assigned or accredited to the United States. If all parties have been given a reasonable opportunity to investigate the document's authenticity and accuracy, the court may for good cause, either:

(A) order that it be treated as presumptively authentic without final certification; or

(B) allow it to be evidenced by an attested summary with or without final certification.

(4) *Certified Copies of Public Records.* A copy of an official record—or a copy of a document that was recorded or filed in a public office as authorized by law—if the copy is certified as correct by:

(A) the custodian or another person authorized to make the certification; or

(B) a certificate that complies with Rule 902(1), (2), or (3), a statute or a rule prescribed by the Supreme Court.

(5) *Official Publications*. A book, pamphlet, or other publication purporting to be issued by a public authority.

(6) *Newspapers and Periodicals*. Printed material purporting to be a newspaper or periodical.

(7) *Trade Inscriptions and the Like*. An inscription, sign, tag, or label purporting to have been affixed in the course of business and indicating origin, ownership, or control.

(8) *Acknowledged Documents*. A document accompanied by a certificate of acknowledgment that is lawfully executed by a notary public or another officer who is authorized to take acknowledgments.

(9) *Commercial Paper and Related Documents*. Commercial paper, a signature on it, and related documents, to the extent allowed by general commercial law.

(10) *Presumptions Authorized by Statute*. A signature, document, or anything else that a statute declares to be presumptively or prima facie genuine or authentic.

(11) *Certified Domestic Records of a Regularly Conducted Activity*. The original or a copy of a domestic record that meets the requirements of Rule 803(6)(A)—(C), as shown by a certification of the custodian or another qualified person that complies with Pa.R.C.P. No. 76. Before the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the record—and must make the record and certification available for inspection—so that the party has a fair opportunity to challenge them.

(12) *Certified Foreign Records of a Regularly Conducted Activity*. In a civil case, the original or a copy of a foreign record that meets the requirements of Rule 902(11), modified as follows: the certification rather than complying with a statute or Supreme Court rule, must be signed in a manner that, if falsely made, would subject the maker to a criminal penalty in the country where the certification is signed. The proponent must also meet the notice requirements of Rule 902(11).

Comment

This rule permits some evidence to be authenticated without extrinsic evidence of authentication or identification. In other words, the requirement that a proponent must present authentication or identification evidence as a condition precedent to admissibility, as provided by Pa.R.E. 901(a), is inapplicable to the evidence discussed in Pa.R.E. 902. The rationale for the rule is that, for the types of evidence covered by Pa.R.E. 902, the risk of forgery or deception is so small, and the likelihood of discovery of forgery or deception is so great, that the cost of presenting extrinsic evidence and the waste of court time is not justified. Of course, this rule does not preclude the opposing party from contesting the authenticity of the evidence. In that situation, authenticity is to be resolved by the finder of fact.

Pa.R.E. 902(1), (2), (3) and (4) deal with self-authentication of various kinds of public documents and records. They are identical to F.R.E. 902(1), (2), (3) and (4), except that Pa.R.E. 901(4) eliminates the reference to Federal law. These paragraphs are consistent with Pennsylvania statutory law. *See, e.g.* 42 Pa.C.S. § 6103 (official records within the Commonwealth); 42 Pa.C.S. § 5328 (domestic records outside the Commonwealth and foreign records); 35 P.S. § 450.810 (vital statistics); 42 Pa.C.S. § 6106 (documents filed in a public office).

The admission of a self-authenticating record of a prior conviction also requires sufficient evidence, either direct or circumstantial, to prove that the subject of the record is the same person for whom the record is offered in a proceeding. *See, e.g., Commonwealth v. Boyd*, 344 A.2d 864 (Pa. 1975).

Pa.R.E. 902(5), (6) and (7) are identical to F.R.E. 902(5), (6) and (7). There are no corresponding statutory provisions in Pennsylvania; however, 45 Pa.C.S. § 506 (judicial notice of the contents of the *Pennsylvania Code* and the *Pennsylvania Bulletin*) is similar to Pa.R.E. 902(5).

Pa.R.E. 902(8) is identical to F.R.E. 902(8). It is consistent with Pennsylvania law. *See Sheaffer v. Baeringer*, [346 Pa. 32,] 29 A.2d 697 (Pa. 1943); *Williamson v. Barrett*, [147 Pa. Super. 460,] 24 A.2d 546 (Pa. Super. 1942); 21 P.S. §§ 291.1—291.13 (Uniform Acknowledgment Act); 57 P.S. §§ 147—169 (Notary Public Law). An acknowledged document is a type of official record and the treatment of acknowledged documents is consistent with Pa.R.E. 902(1), (2), (3), and (4).

Pa.R.E. 902(9) is identical to F.R.E. 902(9). Pennsylvania law treats various kinds of commercial paper and documents as self-authenticating. *See, e.g.*, 13 Pa.C.S. § 3505 (evidence of dishonor of negotiable instruments).

Pa.R.E. 902(10) differs from F.R.E. 902(10) to eliminate the reference to Federal law and to make the paragraph conform to Pennsylvania law. In some Pennsylvania statutes, the self-authenticating nature of a document is expressed by language creating a “presumption” of authenticity. *See, e.g.*, 13 Pa.C.S. § 3505.

Pa.R.E. 902(11) and (12) permit the authentication of domestic and foreign records of regularly conducted activity by verification or certification. Pa.R.E. 902(11) is similar to F.R.E. 902(11). The language of Pa.R.E. 902(11) differs from F.R.E. 902(11) in that it refers to Pa.R.C.P. No. 76 rather than to Federal law. Pa.R.E. 902(12) differs from F.R.E. 902(12) in that it requires compliance with a Pennsylvania statute rather than a Federal statute.

Official Note: Adopted May 8, 1998, effective October 1, 1998; amended November 2, 2001, effective January 1, 2002; amended February 23, 2004, effective May 1, 2004; rescinded and replaced January 17, 2013, effective March 18, 2013; **amended** , **2016, effective** , **2016**.

Committee Explanatory Reports:

Final Report explaining the November 2, 2001 amendments adding paragraphs (11) and (12) published with Court's Order at 31 Pa.B. 6384 (November 24, 2001).

Final Report explaining the February 23, 2004 amendment of paragraph (12) published with Court's Order at 34 Pa.B. 1429 (March 13, 2004).

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).

Final Report explaining the , **2016 amend-**
ment published with the Court's Order at 46 Pa.B.
(, **2016).**

REPORT

Proposed Amendment of Comment to Pa.R.E. 902

The Committee on Rules of Evidence is considering amendment of the Comment to Rule 902 to provide notice that certain self-authenticating records also require proof of identification. Under the Rules of Evidence, certificates evidencing a prior criminal record are self-authenticating

under Pa.R.E. 902(4). *See also* 42 Pa.C.S. § 5328, 42 Pa.C.S. § 6103, and 75 Pa.C.S. § 6501. However, self-authenticating certificates fulfill only part of the requirement for proving a prior criminal conviction.

Under case law, the proponent has the burden of proving: 1) a prior conviction is authentic (*i.e.*, with a self-authenticating certificate); and 2) the person against whom it is sought to be admitted is the same person reflected on the certificate. *Commonwealth v. Boyd*, 344 A.2d 864 (Pa. 1975). Concerning the second aspect of this burden, a criminal record cannot be authenticated solely on the basis of the similarity of names between the record and the in-court witness. *Id.* For example, in *Commonwealth v. Young*, 211 A.2d 440 (Pa. 1965), name, age, race, and gender were deemed to be insufficient to establish identity. Rather, the Court focused on the name, “Thomas Young,” as being “not uncommon” in Philadelphia. Of course, a stipulation would obviate the need for corroborative evidence of identity. *See Commonwealth v. Connolly*, 269 A.2d 390, 392 (Pa. Super. 1970).

One method of proving identity is to produce a witness from the previous trial. *Boyd*, 344 A.2d at 869. Similar nicknames and addresses have been deemed sufficient. *See Commonwealth v. Chandler*, 346 A.2d 579, 582 (Pa. Super. 1975). Likewise, the same first name, middle initial, and last name, together with an exact address, has been deemed sufficient. *Commonwealth v. Moyer*, 2014 WL 10896803 (Pa. Super. 2014) (unreported). The identity of a person convicted by court-martial has been considered duly shown by the person in question having the same social security number as that of the person named in a self-authenticating certificate. *See Commonwealth v. Smith*, 563 A.2d 905, 909 n. 5 (Pa. Super. 1989), *order affirmed*, 598 A.2d 268 (Pa. 1991). Whether sufficient evidence of identity has been proffered as a matter of law is initially to be determined by the judge outside the presence of the jury. *Commonwealth v. Brabham*, 407 A.2d 424, 430 (Pa. Super. 1979).

The Committee recognizes that evidence of a prior conviction may be used in multiple circumstances, including as an element of a crime, 18 Pa.C.S. § 6105(a)(1) (prohibition against possessing a firearm as a result of a prior felony), to determine custody, 23 Pa.C.S. § 5329, to prove motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, lack of accident, Pa.R.E. 404(b)(2), and for impeachment purposes, Pa.R.E. 609. However, a universal requirement for this evidence, absent a stipulation, is authentication. Therefore, the Committee favors adding a statement regarding identification to the Comment to Rule 902.

All comments, concerns, and suggestions concerning this proposal are welcome.

[Pa.B. Doc. No. 16-1198. Filed for public inspection July 15, 2016, 9:00 a.m.]

[225 PA. CODE ART. IX]

Proposed Amendment of Pa.R.E. 901

Proposed amendment of Pa.R.E. 901 governing authentication is being published for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Daniel A. Durst, Counsel
Committee on Rules of Evidence
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717.231.9536
evidencerules@pacourts.us

All communications in reference to the proposal should be received by September 1, 2016. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Committee on
Rules of Evidence*

THOMAS W. DOLGENOS, Esq.,
Chair

Annex A

TITLE 225. RULES OF EVIDENCE

ARTICLE IX. AUTHENTICATION AND IDENTIFICATION

Rule 901. Authenticating or Identifying Evidence.

(a) *In General.* To satisfy the requirement of authenticating or identifying an item of evidence, the proponent must produce evidence sufficient to support a finding that the item is what the proponent claims it is.

(b) *Examples.* The following are examples only—not a complete list—of evidence that satisfies the requirement:

(1) *Testimony of a Witness with Knowledge.* Testimony that an item is what it is claimed to be.

(2) *Nonexpert Opinion about Handwriting.* A nonexpert's opinion that handwriting is genuine, based on a familiarity with it that was not acquired for the current litigation.

(3) *Comparison by an Expert Witness or the Trier of Fact.* A comparison with an authenticated specimen by an expert witness or the trier of fact.

(4) *Distinctive Characteristics and the Like.* The appearance, contents, substance, internal patterns, or other distinctive characteristics of the item, taken together with all the circumstances.

(5) *Opinion About a Voice.* An opinion identifying a person's voice—whether heard firsthand or through mechanical or electronic transmission or recording—based on hearing the voice at any time under circumstances that connect it with the alleged speaker.

(6) *Evidence About a Telephone Conversation.* For a telephone conversation, evidence that a call was made to the number assigned at the time to:

(A) a particular person, if circumstances, including self-identification, show that the person answering was the one called; or

(B) a particular business, if the call was made to a business and the call related to business reasonably transacted over the telephone.

(7) *Evidence About Public Records.* Evidence that:

(A) a document was recorded or filed in a public office as authorized by law; or

(B) a purported public record or statement is from the office where items of this kind are kept.

(8) *Evidence About Ancient Documents or Data Compilations.* For a document or data compilation, evidence that it:

(A) is in a condition that creates no suspicion about its authenticity;

(B) was in a place where, if authentic, it would likely be; and

(C) is at least 30 years old when offered.

(9) *Evidence About a Process or System.* Evidence describing a process or system and showing that it produces an accurate result.

(10) *Methods Provided by a Statute or a Rule.* Any method of authentication or identification allowed by a statute or a rule prescribed by the Supreme Court.

(11) Evidence About A Writing, Posting, Communication, or Image on an Electronic Device or Medium. A writing, posting, communication, or image on or sent from an electronic device may be attributed to a person by:

(A) the testimony of a person with knowledge; or

(B) circumstantial evidence such as content or exclusivity of ownership, access, or possession of the device or account at the relevant time.

Comment

Pa.R.E. 901(a) is identical to F.R.E. 901(a) and consistent with Pennsylvania law. The authentication or identification requirement may be expressed as follows: When a party offers evidence contending either expressly or impliedly that the evidence is connected with a person, place, thing, or event, the party must provide evidence sufficient to support a finding of the contended connection. See *Commonwealth v. Hudson*, [489 Pa. 620,] 414 A.2d 1381 (Pa. 1980); *Commonwealth v. Pollock*, [414 Pa. Super. 66,] 606 A.2d 500 (Pa. Super. 1992).

In some cases, real evidence may not be relevant unless its condition at the time of trial is similar to its condition at the time of the incident in question. In such cases, the party offering the evidence must also introduce evidence sufficient to support a finding that the condition is similar. Pennsylvania law treats this requirement as an aspect of authentication. See *Commonwealth v. Hudson*, [489 Pa. 620,] 414 A.2d 1381 (Pa. 1980).

Demonstrative evidence such as photographs, motion pictures, diagrams and models must be authenticated by evidence sufficient to support a finding that the demonstrative evidence fairly and accurately represents that which it purports to depict. See *Nyce v. Muffley*, [384 Pa. 107,] 119 A.2d 530 (Pa. 1956).

Pa.R.E. 901(b) is identical to F.R.E. 901(b).

Pa.R.E. 901(b)(1) is identical to F.R.E. 901(b)(1). It is consistent with Pennsylvania law in that the testimony of a witness with personal knowledge may be sufficient to

authenticate or identify the evidence. See *Commonwealth v. Hudson*, [489 Pa. 620,] 414 A.2d 1381 (Pa. 1980).

Pa.R.E. 901(b)(2) is identical to F.R.E. 901(b)(2). It is consistent with 42 Pa.C.S. § 6111, which also deals with the admissibility of handwriting.

Pa.R.E. 901(b)(3) is identical to F.R.E. 901(b)(3). It is consistent with Pennsylvania law. When there is a question as to the authenticity of an exhibit, the trier of fact will have to resolve the issue. This may be done by comparing the exhibit to authenticated specimens. See *Commonwealth v. Gipe*, [169 Pa. Super. 623,] 84 A.2d 366 (Pa. Super. 1951) (comparison of typewritten document with authenticated specimen). Under this rule, the court must decide whether the specimen used for comparison to the exhibit is authentic. If the court determines that there is sufficient evidence to support a finding that the specimen is authentic, the trier of fact is then permitted to compare the exhibit to the authenticated specimen. Under Pennsylvania law, lay or expert testimony is admissible to assist the jury in resolving the question. See, e.g., 42 Pa.C.S. § 6111.

Pa.R.E. 901(b)(4) is identical to F.R.E. 901(b)(4). Pennsylvania law has permitted evidence to be authenticated by circumstantial evidence similar to that discussed in this illustration. The evidence may take a variety of forms including: evidence establishing chain of custody, see *Commonwealth v. Melendez*, [326 Pa. Super. 531,] 474 A.2d 617 (Pa. Super. 1984); evidence that a letter is in reply to an earlier communication, see *Roe v. Dwelling House Ins. Co. of Boston*, [149 Pa. 94,] 23 A.718 (Pa. 1892); testimony that an item of evidence was found in a place connected to a party, see *Commonwealth v. Bassi*, [284 Pa. 81,] 130 A. 311 (Pa. 1925); a phone call authenticated by evidence of party's conduct after the call, see *Commonwealth v. Gold*, [123 Pa. Super. 128,] 186 A. 208 (Pa. Super. 1936); and the identity of a speaker established by the content and circumstances of a conversation, see *Bonavitacola v. Cluver*, [422 Pa. Super. 556,] 619 A.2d 1363 (Pa. Super. 1993).

Pa.R.E. 901(b)(5) is identical to F.R.E. 901(b)(5). Pennsylvania law has permitted the identification of a voice to be made by a person familiar with the alleged speaker's voice. See *Commonwealth v. Carpenter*, [472 Pa. 510,] 372 A.2d 806 (Pa. 1977).

Pa.R.E. 901(b)(6) is identical to F.R.E. 901(b)(6). This paragraph appears to be consistent with Pennsylvania law. See *Smithers v. Light*, [305 Pa. 141,] 157 A. 489 (Pa. 1931); *Wahl v. State Workmen's Ins. Fund*, [139 Pa. Super. 53,] 11 A.2d 496 (Pa. Super. 1940).

Pa.R.E. 901(b)(7) is identical to F.R.E. 901(b)(7). This paragraph illustrates that public records and reports may be authenticated in the same manner as other writings. In addition, public records and reports may be self-authenticating as provided in Pa.R.E. 902. Public records and reports may also be authenticated as otherwise provided by statute. See Pa.R.E. 901(b)(10) and its Comment.

Pa.R.E. 901(b)(8) differs from F.R.E. 901(b)(8), in that the Pennsylvania Rule requires thirty years, while the Federal Rule requires twenty years. This change makes the rule consistent with Pennsylvania law. See *Commonwealth ex rel. Ferguson v. Ball*, [277 Pa. 301,] 121 A. 191 (Pa. 1923).

Pa.R.E. 901(b)(9) is identical to F.R.E. 901(b)(9). There is very little authority in Pennsylvania discussing authen-

tication of evidence as provided in this illustration. The paragraph is consistent with the authority that exists. For example, in *Commonwealth v. Visconto*, [301 Pa. Super. 543,] 448 A.2d 41 (Pa. Super. 1982), a computer print-out was held to be admissible. In *Appeal of Chartiers Valley School District*, [67 Pa. Cmwlth. 121,] 447 A.2d 317 (Pa. Cmwlth. 1982), computer studies were not admitted as business records, in part, because it was not established that the mode of preparing the evidence was reliable. The court used a similar approach in *Commonwealth v. Westwood*, [324 Pa. 289,] 188 A. 304 (Pa. 1936) (test for gun powder residue) and in other cases to admit various kinds of scientific evidence. See *Commonwealth v. Middleton*, [379 Pa. Super. 502,] 550 A.2d 561 (Pa. Super. 1988) (electrophoretic analysis of dried blood); *Commonwealth v. Rodgers*, [413 Pa. Super. 498,] 605 A.2d 1228 (Pa. Super. 1992) (results of DNA/RFLP testing).

Pa.R.E. 901(b)(10) differs from F.R.E. 901(b)(10) to eliminate the reference to Federal law and to make the paragraph conform to Pennsylvania law.

Pa.R.E. 901(b)(11) has no counterpart in the Federal Rules of Evidence. Circumstantial evidence may include self-identification, the appearance, contents, substance, internal patterns, or other distinctive characteristics of the item, including a display of knowledge only possessed by the author, or the exclusivity of ownership, possession, control, or access of the device or account attributed to the item.

There are a number of statutes that provide for authentication or identification of various types of evidence. See, e.g., 42 Pa.C.S. § 6103 (official records within the Commonwealth); 42 Pa.C.S. § 5328 (domestic records outside the Commonwealth and foreign records); 35 P.S. § 450.810 (vital statistics); 42 Pa.C.S. § 6106 (documents filed in a public office); 42 Pa.C.S. § 6110 (certain registers of marriages, births and burials records); 75 Pa.C.S. § 1547(c) (chemical tests for alcohol and controlled substances); 75 Pa.C.S. § 3368 (speed timing devices); 75 Pa.C.S. § 1106(c) (certificates of title); 42 Pa.C.S. § 6151 (certified copies of medical records); 23 Pa.C.S. § 5104 (blood tests to determine paternity); 23 Pa.C.S. § 4343 (genetic tests to determine paternity).

Official Note: Adopted May 8, 1998, effective October 1, 1998; rescinded and replaced January 17, 2013, effective March 18, 2013; **adopted** , 2016, effective , 2016.

Committee Explanatory Reports:

Final Report explaining the January 17, 2013 rescission and replacement published with the Court's Order at 43 Pa.B. 651 (February 2, 2013).

Final Report explaining the , 2016 **amendment published with the Court's Order at 46 Pa.B.** (, 2016).

REPORT

Proposed Amendment of Pa.R.E. 901

The Committee on Rules of Evidence is considering amendment of Rule 901 to add a new paragraph (b)(11) to provide an example of evidence for the authentication of a writing, posting, communication, or image on an electronic device or medium. The Committee's consideration of this issue arose from its review of *Commonwealth v. Koch*, 106 A.3d 705 (Pa. 2014) and the lack of rules-based guidance for resolving authentication questions involving electronic communications.

The Committee acknowledges that there is often a lack of direct evidence of authentication absent an admission or eyewitness. Rather, authentication is frequently proven by circumstantial evidence. The Committee found that the same circumstantial evidence used to establish the authenticity of writings, see *Commonwealth v. Brooks*, 508 A.2d 316 (Pa. Super. 1985), have been used to authenticate electronic communications, see, e.g., *U.S. v. Siddiqui*, 235 F.3d 1318 (11th Cir. 2000) and *Massimo v. State*, 144 S.W.3d 210 (Tex. App. 2004).

The Committee deliberated whether ownership, access, or possession of a device or to an account should be considered for authenticating whether an electronic communication was sent from or received by the person having ownership, access, or possession of the device or access to the account. Members expressed concern that mere possession of or access to a device or account does not equate to exclusive possession or access to support the inference that the person sent or received the communication.

Therefore, the Committee has included ownership, access, or possession of a device or to an account as a factor to be considered, but qualifies it by reference to exclusivity. Therefore, to permit ownership, access, or possession to be the sole means of authentication of an electronic communication, the proponent should demonstrate by *prima facie* evidence that ownership, access, or possession was exclusive.

All comments, concerns, and suggestions concerning this proposal are welcome.

[Pa.B. Doc. No. 16-1199. Filed for public inspection July 15, 2016, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CHS. 200 AND 1000]

Order Amending Rules 205.2, 205.5, 206.1, 206.4, 208.2, 208.3, 210, 239, 239.8, 239.9, 1028, 1034 and 1035.2 of the Rules of Civil Procedure; No. 647 Civil Procedural Rules Doc.

Order

Per Curiam

And Now, this 28th day of June, 2016, upon the recommendation of the Civil Procedural Rules Committee and the Domestic Relations Procedural Rules Committee, the proposal having been published for public comment at 45 Pa.B. 5384 (August 29, 2015):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rules 205.2, 205.5, 206.1, 206.4, 208.2, 208.3, 210, 239, 239.8, 239.9, 1028, 1034, and 1035.2 of the Pennsylvania Rules of Civil Procedure are amended in the following form.

2) Local rules of civil procedure effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(d)(7), see No. 464 Judicial Administration Docket

(June 28, 2016); No. 465 Judicial Administration Docket (June 28, 2016), no later than September 1, 2016 to remain effective.

3) Local rules of civil procedure that have been adopted before, but not yet published in the *Pennsylvania Bulletin* as of August 1, 2016 pursuant to Pa.R.C.P. No. 239 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

4) Local rules of civil procedure that have been published in the *Pennsylvania Bulletin* as of August 1, 2016 but are not yet effective pursuant to Pa.R.C.P. 239 shall become effective in accordance with Pa.R.J.A. No. 103(d)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

5) Local rules of civil procedure that have been approved by the Civil Procedural Rules Committee pursuant to Pa.R.C.P. No. 239.8, but have not yet been published and made effective as of August 1, 2016 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 200. BUSINESS OF COURTS

Rule 205.2. Filing Legal Papers with the Prothonotary.

No pleading or other legal paper that complies with the Pennsylvania Rules of Civil Procedure shall be refused for filing by the prothonotary based on a requirement of a local rule of civil procedure or judicial administration, including local Rules 205.2(a) and 205.2(b).

Official Note: Rule 239.1(a) authorizes each court of common pleas to impose requirements governing the physical characteristics of pleadings and other legal papers. Rule 239.1(a) requires each court which has imposed requirements to promulgate a local rule, numbered Local Rule 205.2(a), listing the requirements.

Similarly, Rule 239.1(b) also authorizes each court to require pleadings and other legal papers to be accompanied by a cover sheet. Rule 239.1(b) requires each court which has imposed the requirement to promulgate a local rule, numbered Local Rule 205.2(b), stating the requirement and setting forth the form of the cover sheet.

[Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).]

Rule 205.5. Cover Sheet.

(a)(1) This rule shall apply to all actions governed by the rules of civil procedure except the following:

(i) actions pursuant to the Protection from Abuse Act, Rules 1901 *et seq.*

(ii) actions for support, Rules 1910.1 *et seq.*

(iii) actions for custody, partial custody and visitation of minor children, Rules 1915.1 *et seq.*

(iv) actions for divorce or annulment of marriage, Rules 1920.1 *et seq.*

(v) actions in domestic relations generally, including paternity actions, Rules 1930.1 *et seq.*

(vi) voluntary mediation in custody actions, Rules 1940.1 *et seq.*

(2) At the commencement of any action, the party initiating the action shall complete the cover sheet set forth in subdivision (e) and file it with the prothonotary.

Official Note: When a defendant in an action before a magisterial district court appeals the decision to the court of common pleas, the plaintiff in the action before the magisterial district court shall complete the cover sheet when filing the complaint with the prothonotary.

(b) The prothonotary shall not accept a filing commencing an action without a completed cover sheet.

(c) The prothonotary shall assist a party appearing pro se in the completion of the form.

(d) A judicial district which has implemented an electronic filing system pursuant to Rule 205.4 and has promulgated those procedures pursuant to Rule 239.9 shall be exempt from the provisions of this rule.

Official Note: Pa.R.C.P. No. 205.4 provides for electronic filing and service of legal papers. Rule 205.4(h) permits a judicial district which has implemented an electronic filing system to be exempt from the requirements of this rule provided that the information to be gathered by the cover sheet can be captured and transmitted to the Administrative Office of Pennsylvania Courts by the electronic filing system.

Pa.R.C.P. No. 239.9 provides for the promulgation of a local rule, numbered Local Rule 205.4, governing procedures for electronic filing specific to a judicial district.

(e) The Court Administrator of Pennsylvania, in conjunction with the Civil Procedural Rules Committee, shall design and publish the cover sheet. The latest version of the form shall be published on the web site of the Administrative Office of Pennsylvania Courts at www.pacourts.us.

Official Note: Cover sheets developed by a judicial district may be used in addition to the cover sheet required by this rule. See Rule 239.1, which requires a court that uses local cover sheets to promulgate a local rule, numbered Local Rule 205.2(b), setting forth the form of cover sheet[, and Rule 239.8 for the requirements for adopting Local Rule 205.2(b)].

Rule 206.1. Petition. Definition. Content. Form.

(a) As used in this chapter, "petition" means

(1) an application to strike and/or open a default judgment or a judgment of non pros, and

(2) any other application which is designated by local rule, numbered Local Rule 206.1(a), to be governed by Rule 206.1 *et seq.*

Official Note: A petition for relief from a judgment by confession is governed by Rule 2959.

Motions are governed by Rule 208.1 *et seq.*

Rule 206.1(a)(2) authorizes each court of common pleas to designate applications which are to proceed in the manner of a petition under Rule 206.1 *et seq.* Rule 239.2(a) requires each court which has made that designation to promulgate a local rule, numbered Local Rule 206.1(a), listing the applications to be determined pursuant to Rule 206.1 *et seq.* **[Any local rule which has**

been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).]

(b) A petition shall specify the relief sought and state the material facts which constitute the grounds therefor. All grounds for relief, whether to strike or open a default judgment, shall be asserted in a single petition.

(c) A petition shall be divided into paragraphs numbered consecutively. Each paragraph shall contain as far as practicable only one material allegation.

Official Note: Petitions are subject to Rule 440 governing service of legal papers other than original process, Rule 1023.1 governing the signing of documents, and Rule 1025 governing the endorsement of legal papers. Any requirements of a court relating to the format of a petition and cover sheet must be set forth in local rules numbered Local Rule 205.2(a) and Local Rule 205.2(b).

Rule 206.4. Rule to Show Cause. Alternative Procedures. Exception.

(a)(1) Except as provided by subparagraph (2), a petition shall proceed upon a rule to show cause, the issuance of which shall be discretionary with the court as provided by Rule 206.5 unless the court by local rule adopts the procedure of Rule 206.6 providing for issuance as of course.

Official Note: See Rule 440 requiring service of the petition upon every other party to the action.

(2) A judgment shall be stricken without the issuance of a rule to show cause when there is a defect on the face of the record that constitutes a ground for striking a default judgment.

(b) The procedure following issuance of the rule to show cause shall be in accordance with Rule 206.7.

Official Note: Subdivisions (b) through (e) of Rule 239.2 require every court to promulgate Local Rule 206.4(c) describing the court's procedures for the issuance of a rule to show cause. [**Local Rule 206.4(c) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).**]

Rule 208.2. Motion. Form. Content.

(a) A motion shall

(1) contain a caption setting forth the name of the court, the number of the action, the name of the motion, and the name of the moving party,

(2) be divided into paragraphs numbered consecutively,

(3) set forth material facts constituting grounds for the relief sought, specify the relief sought and include a proposed order,

(4) include a certificate of service which sets forth the manner of service including the name of an attorney of record for each party that is represented by counsel, the party whom the attorney represents, a "pro se" designation for each party that is unrepresented, and the address at which service was made, and

(5) be signed and endorsed.

Official Note: Motions are subject to Rule 440 governing service of legal papers other than original process, Rule 1023.1 governing the signing of documents, and Rule 1025 governing the endorsement of legal papers. Any requirements of a court relating to the format of a motion and cover sheet must be set forth in local rules numbered Local Rule 205.2(a) and Local Rule 205.2(b).

(b) A motion need not be verified unless verification is required by general rule governing the particular motion or by order of court.

Official Note: Rule 239.3(a) authorizes a court to require that a motion include a brief statement of the applicable authority. Rule 239.3(a) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(c), stating the requirement.

Rule 239.3(b) also authorizes each court to provide a certification requirement for a motion as uncontested. Rule 239.3(b) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(d), stating the requirement.

Similarly, Rule 239.3(c) authorizes each court of common pleas to require the moving party in any motion relating to discovery to certify that counsel has conferred or attempted to confer with all interested parties in order to resolve the matter without court action. Rule 239.3(c) requires each court which has imposed this requirement to promulgate a local rule, numbered Local Rule 208.2(e), stating the requirement.

[**Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).**]

Rule 208.3. Alternative Procedures.

(a) Except as otherwise provided by subdivision (b), the court shall initially consider a motion without written responses or briefs. For a motion governed by this subdivision, the court may not enter an order that grants relief to the moving party unless the motion is presented as uncontested or the other parties to the proceeding are given an opportunity for an argument.

Official Note: Rule 208.3(a) does not prevent a court from denying the moving party's request for relief without the opportunity for an argument where the motion is procedurally defective, is untimely filed or fails to set forth adequate grounds for relief.

Parties may choose to submit responses and briefs at the time of the presentation, provided that copies have been served on every other party. However, parties are not required to do so.

Rule 239.3(d) requires every court to promulgate Local Rule 208.3(a) describing the local court procedure governing motions under this rule. [**Local Rule 208.3(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).**]

(b) A court, by local rule, numbered Local Rule 208.3(b), may impose requirements with respect to motions listed in the rule for the filing of a response, a brief or both. Where a response is required, any party opposing a motion governed by Local Rule 208.3(b) shall file the response within twenty days after service of the motion, unless the time for filing the response is modified by court order or enlarged by local rule.

Official Note: Motions are governed by the procedure in subdivision (a) unless the court by local rule designates particular types of motions to be governed by the procedure in subdivision (b).

The twenty-day response period may be extended or reduced by special order of court. A local rule may only extend the time period.

A response shall be filed by any party opposing a motion governed by subdivision (b) even if there are no contested issues of fact because the response is the opposing party's method of indicating its opposition.

Rule 208.3(b) authorizes each court of common pleas to impose requirements of responses and briefs with respect to designated motions. Rule 239.3(e) requires each court which has imposed such requirements to promulgate a local rule, numbered Local Rule 208.3(b), listing the motions and the requirements.

Rule 239.3(e) also provides that Local Rule 208.3(b) must describe the local court procedure governing motions under subdivision (b) and may allow the court to treat the motion as uncontested if a response is not filed.

[Any local rule promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).]

Rule 210. Form of Briefs.

Briefs shall be typewritten, printed, or otherwise duplicated, and endorsed with the name of the case, the court and number and the name, address, and telephone number of the attorney or the party if not represented by an attorney.

Official Note: Rule 239.4 authorizes each court of common pleas to impose additional requirements governing the form and content of a brief. Rule 239.4 requires each court which has imposed such requirements to promulgate a local rule, numbered Local Rule 210, listing the requirements. **[Any local rule which has been promulgated must be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).]**

Rule 239. Local Rules.

[(a) For the purpose of this rule, the term "local rule" shall include every rule, regulation, directive, policy, custom, usage, form or order of general application, however labeled or promulgated, which is adopted and enforced by a court of common pleas to govern civil practice and procedure.

Official Note: The caption or other words used as a label or designation shall not determine whether something is or establishes a local rule; if the definition in subdivision (a) of this rule is satisfied the matter is a local rule regardless of what it may be called. The provisions of this rule are also intended to apply to any amendments to a "local rule."

(b)(1) Local rules shall not be inconsistent with any general rule of the Supreme Court or any Act of Assembly.

Official Note: The policy of the Supreme Court as declared in the Order promulgating this rule is "to implement the unified judicial system under the Constitution of 1968, to facilitate the statewide practice of law under this Court's general rules, and to promote the further policy that a general rule of civil procedure normally preempts the subject covered." In accordance with the Court's policy, it is intended that local rules should not repeat general rules or statutory provisions verbatim or substantially verbatim nor should local rules make it difficult for attorneys to practice law in several counties.

(2) Except as otherwise provided by Rule 239.8, local rules which implement general rules shall be given numbers that are keyed to the numbers of the general rules to which the local rules correspond.

(c) Except as otherwise provided by Rule 239.8, to be effective and enforceable:

(1) A local rule shall be in writing.

(2) One certified copy of the local rule shall be filed by the court promulgating the rule with the Administrative Office of Pennsylvania Courts.

(3) Two certified copies of the local rule and a computer diskette containing the text of the local rule shall be distributed by the court promulgating the rule to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

Official Note: The diskette must (1) be formatted in one of the following formats: MS-DOS, ASCII, Microsoft Word, or WordPerfect, (2) contain the local rule text as reflected in the "hard copy" version of the rule, and (3) be labeled with court's name and address and computer file name. See 1 Pa. Code § 13.11(b).

(4) One certified copy of the local rule shall be filed by the court promulgating the rule with the Civil Procedural Rules Committee, unless the rule relates to domestic relations matters, in which case it shall be filed with the Domestic Relations Procedural Rules Committee.

(5) The local rule shall be kept continuously available for public inspection and copying in the office of the prothonotary or clerk of court. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

Official Note: It is contemplated under subdivision (c)(5) that a separate consolidated set of local rules shall be maintained in the prothonotary's or clerk's office.

The Administrative Office of the Pennsylvania Courts maintains a webpage containing the texts of local rules. That webpage is located at: <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>

(6) A local rule promulgated before the effective date of this rule shall be filed on or before that effective date with the prothonotary or clerk of court and shall be kept by the prothonotary or clerk for inspection, copying, and furnishing as provided in subdivision (c)(5).

(d) Except as otherwise provided by Rule 239.8, a local rule shall become effective not less than thirty days after the date of publication of the rule in the *Pennsylvania Bulletin*.

Official Note: Although under subdivision (d) a local rule shall not be effective until at least thirty days after the date of publication in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

(e) The Civil Procedural Rules Committee may at any time recommend that the Supreme Court suspend, vacate, or require amendment of a local rule

and may suspend that local rule pending action by the Court on that recommendation.

(f) No civil action or proceeding shall be dismissed for failure to comply with a local rule.

Official Note: See Rule of Judicial Administration 1952 governing the duties and authorities of the trial court in emergency actions. Rule 1952(B)(5) suspends the provisions of this rule during an emergency.]

The requirements for the promulgation and amendment of local rules of civil procedure are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Official Note: Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rule-making requirements. Accordingly, the requirements under Rule 239 for the promulgation and amendment of local rules of civil procedure were rescinded and replaced. All local rules previously promulgated in accordance with the requirements of this rule prior to rescission remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

Rule 239.8. Local Rules. Promulgation. Publication. Effective Date.

[(a) Local rules required by Rules 239.2, 239.3, 239.5, 239.6 and 239.7 shall be promulgated not later than nine months following the date of the Order of the Supreme Court promulgating this rule.

Official Note: The date of the Order promulgating Rule 239.8 was October 24, 2003.

Local requirements under Rules 239.1 through 239.7 are not effective and enforceable unless local rules are published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>). See subdivision (c) of this rule.

(b) The court promulgating a local rule or an amendment to a local rule pursuant to Rules 239.1 through 239.7 shall transmit a copy to the Civil Procedural Rules Committee which shall then forward a copy to the Administrative Office of Pennsylvania Courts (AOPC) for publication on the Pennsylvania Judiciary's Web Application Portal.

Official Note: The preferable method of transmission to the Civil Procedural Rules Committee is by attachment to e-mail addressed to civil.rules@pacourts.us.

The Committee may, of necessity arising from judicial automation, direct the court promulgating a local rule or amendment to transmit it to the AOPC or take other action to effect publication on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).

(c) To be effective and enforceable, a local rule or an amendment to a local rule promulgated pursuant to Rules 239.1 through 239.7 shall be

(1) numbered in accordance with the requirements of those rules,

(2) published on the Pennsylvania Judiciary's Web Application Portal, and

Official Note: The Pennsylvania Judiciary maintains a web page at <http://ujportal.pacourts.us>

containing the texts of local rules promulgated pursuant to Rules 239.1 through 239.7.

(3) kept continuously available for public inspection and copying in the office of the prothonotary or clerk of the court promulgating the rule or amendment. Upon request and payment of reasonable costs of reproduction and mailing, the prothonotary or clerk shall furnish to any person a copy of any local rule.

Official Note: It is contemplated under subdivision (c)(3) that a separate consolidated set of local rules shall be maintained in the prothonotary or clerk's office. The set of local rules may be in book or electronic form.

(d) A local rule or amendment promulgated pursuant to Rules 239.1 through 239.7 shall become effective upon publication on the Pennsylvania Judiciary's Web Application Portal.

Official Note: See Rule of Judicial Administration 1952 governing the duties and authorities of the trial court in emergency actions. Rule 1952(B)(5) suspends local rule-making procedures during an emergency.]

The requirements for the promulgation and amendment of local rules of civil procedure are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Official Note: Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rule-making requirements. Accordingly, the requirements under Rule 239.8 for the promulgation and amendment of local rules of civil procedure were rescinded and replaced. All local rules previously promulgated in accordance with the requirements of this rule prior to rescission remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

Rule 239.9. Electronic Filing. Local Rule 205.4.

* * * * *

(c) Local Rule 205.4 may contain such additional subdivisions as the court deems necessary to provide a full and complete description of the electronic filing system.

[(d) Local Rule 205.4 shall be promulgated in accordance with the provisions of Rule 239.8(b) through (d).]

CHAPTER 1000. ACTIONS

Subchapter A. CIVIL ACTION

PLEADINGS

Rule 1028. Preliminary Objections.

(a) Preliminary objections may be filed by any party to any pleading and are limited to the following grounds:

(1) lack of jurisdiction over the subject matter of the action or the person of the defendant, improper venue or improper form or service of a writ of summons or a complaint[:];

Official Note: Of the three grounds available to challenge venue, only improper venue may be raised by preliminary objection as provided by Rule 1006(e). *Forum non conveniens* and inability to hold a fair and impartial trial are raised by petition as provided by Rule 1006(d)(1) and (2).

See Rule of Appellate Procedure 311(b) for interlocutory appeals as of right from orders sustaining jurisdiction and venue.

- (2) failure of a pleading to conform to law or rule of court or inclusion of scandalous or impertinent matter;
- (3) insufficient specificity in a pleading;
- (4) legal insufficiency of a pleading (demurrer);

Official Note: The defense of the bar of a statute of frauds or statute of limitations can be asserted only in a responsive pleading as new matter under Rule 1030.

(5) lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action;

(6) pendency of a prior action or agreement for alternative dispute resolution;

Official Note: An agreement to arbitrate may be asserted by preliminary objection or by petition to compel arbitration pursuant to the Uniform Arbitration Act, 42 Pa.C.S. § 7304, or the common law, 42 Pa.C.S. § 7342(a).

(7) failure to exercise or exhaust a statutory remedy[,]; and

(8) full, complete and adequate non-statutory remedy at law.

(b) All preliminary objections shall be raised at one time. They shall state specifically the grounds relied upon and may be inconsistent. Two or more preliminary objections may be raised in one pleading.

(c)(1) A party may file an amended pleading as of course within twenty days after service of a copy of preliminary objections. If a party has filed an amended pleading as of course, the preliminary objections to the original pleading shall be deemed moot.

(2) The court shall determine promptly all preliminary objections. If an issue of fact is raised, the court shall consider evidence by depositions or otherwise.

Official Note: Preliminary objections raising an issue under subdivision (a)(1), (5), (6), (7) or (8) cannot be determined from facts of record. In such a case, the preliminary objections must be endorsed with a notice to plead or no response will be required under Rule 1029(d).

However, preliminary objections raising an issue under subdivision (a)(2), (3) or (4) may be determined from facts of record so that further evidence is not required.

Rule 239.5 requires every court to promulgate Local Rule 1028(c) describing the local court procedure governing preliminary objections. [**Local Rule 1028(c) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).**]

(d) If the preliminary objections are overruled, the objecting party shall have the right to plead over within twenty days after notice of the order or within such other time as the court shall fix.

(e) If the filing of an amendment, an amended pleading or a new pleading is allowed or required, it shall be filed within twenty days after notice of the order or within such other time as the court shall fix.

(f) Objections to any amended pleading shall be made by filing new preliminary objections.

Rule 1034. Motion for Judgment on the Pleadings.

(a) After the relevant pleadings are closed, but within such time as not to unreasonably delay the trial, any party may move for judgment on the pleadings.

Official Note: Only the pleadings between the parties to the motion for judgment on the pleadings must be closed prior to filing the motion.

Rule 239.6 requires every court to promulgate Local Rule 1034(a) describing the local court procedure governing motions for judgment on the pleadings. [**Local Rule 1034(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujportal.pacourts.us>).**]

(b) The court shall enter such judgment or order as shall be proper on the pleadings.

Rule 1035.2. Motion.

After the relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law

(1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report, or

(2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury.

Official Note: Rule 1035.2 sets forth the general principle that a motion for summary judgment is based on an evidentiary record which entitles the moving party to judgment as a matter of law.

The evidentiary record may be one of two types. Under [**subparagraph**] **subdivision** (1), the record shows that the material facts are undisputed and, therefore, there is no issue to be submitted to a jury.

An example of a motion under [**subparagraph**] **subdivision** (1) is a motion supported by a record containing an admission. By virtue of the admission, no issue of fact could be established by further discovery or expert report.

Under [**subparagraph**] **subdivision** (2), the record contains insufficient evidence of facts to make out a *prima facie* cause of action or defense and, therefore, there is no issue to be submitted to a jury. The motion in this instance is made by a party who does not have the burden of proof at trial and who does not have access to the evidence to make a record which affirmatively supports the motion. To defeat this motion, the adverse party must come forth with evidence showing the existence of the facts essential to the cause of action or defense.

Oral testimony alone, either through testimonial affidavits or depositions, of the moving party or the moving party's witnesses, even if uncontradicted, is generally insufficient to establish the absence of a genuine issue of

material fact. *See Nanty-Glo v. American Surety Co.*, [309 Pa. 236,] 163 A.523 (Pa. 1932); *Penn Center House, Inc. v. Hoffman*, [520 Pa. 171,] 553 A.2d 900 (Pa. 1989).

Only the pleadings between the parties to the motion for summary judgment must be closed prior to filing the motion.

In asbestos litigation, a motion for summary judgment filed by one defendant alleging a ground common to one or more other defendants is deemed filed on behalf of all such defendants. *See* Rule 1041.1(f).

Partial summary judgment, interlocutory in character, may be rendered on one or more issues of liability, defense or damages.

Rule 239.7 requires every court to promulgate Local Rule 1035.2(a) describing the local court procedure governing motions for summary judgment. [**Local Rule 1035.2(a) shall be published on the Pennsylvania Judiciary's Web Application Portal (<http://ujsportal.pacourts.us>).**]

**SUREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE
CRIMINAL PROCEDURAL RULES COMMITTEE
JUVENILE COURT PROCEDURAL RULES
COMMITTEE
MINOR COURT RULES COMMITTEE
ORPHANS' COURT PROCEDURAL RULES
COMMITTEE**

Report

On June 28, 2016, the Court amended Pa.R.J.A. No. 103 to consolidate the local rulemaking procedure in the courts of common pleas and replace the requirements currently set forth in Pa.R.C.P. No. 239, Pa.R.C.P. No. 239.8, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5 (collectively "Procedural Rules"). The Court also adopted new Pa.R.C.P.M.D.J. No. 216 to provide a cross-reference to the consolidated local rulemaking procedure in Pa.R.J.A. No. 103.¹

On August 29, 2015, the Rules Committees published a joint proposal at 45 Pa.B. 5384 to modify the local rulemaking procedure to require courts to publish their local rules on their court or county's website, which the majority are presently doing, and to effectively require the AOPC to add a link on the UJS website back to each court or county website where local rules are maintained. Each county already has a webpage on the UJS website (<http://www.pacourts.us/courts/courts-of-common-pleas/>). In addition, the Civil Procedural Rules Committee would prospectively expand its review to all local rules of civil procedure while the Domestic Relations Procedural Rules Committee would begin to review all new and amended "family court" rules. Please note that the scope of review is limited to whether the local rule is inconsistent with a statewide rule; the Rules Committees do not review the merits or wisdom of the local rule.

After addressing comments, some of which prompted further revisions, the Rules Committees proceeded to recommend multiple rule changes to effectuate this proposal. During this process, the need to maintain five individual procedures for the promulgation of local rules was reconsidered. Historically, the different procedures accrued as each body adopted a review process over the

span of decades. However, the process is at a point where the review requirement is nearly uniform across all bodies of rules; therefore, the continued need for separate rules no longer appears substantiated.

Accordingly, the prior proposal was revised to include:

1) Consolidation of all local procedural rulemaking requirements, currently existing in various statewide procedural rules, into one Rule of Judicial Administration.

2) Compilation and publication of all local rules of judicial administration on the website of the respective court or county.

3) Expansion of the review requirement to encompass local rules governing magisterial district courts, which rules are promulgated infrequently, but included for the purpose of uniformity.

Pennsylvania Rule of Judicial Administration 103, which governs rulemaking generally in the Unified Judicial System, appeared as the appropriate vehicle for the consolidated procedure. Current subdivision (c) of Pa.R.J.A. No. 103 provides a procedure for adoption of local rules other than local procedural rules, such as local rules of judicial administration, which are outside the purview of the procedural rules. In consultation with the Administrative Office of Pennsylvania Courts, separate procedures for local rules of judicial administration and local rules of procedure were developed. Subdivision (c) governs the adoption of local rules of judicial administration, while new subdivision (d) governs the adoption of local procedural rules.

Subdivision (c)

Current subdivision (c) functions as a "residuary" procedure. Local rules that do not come under the purview of the Procedural Rules are promulgated in accordance with subdivision (c). Revisions were made to subdivision (c) to change it from serving as a "residuary" function to a distinct category by labeling it "local rules of judicial administration."

To the greatest extent possible, the procedure in amended subdivision (c) is the same as the procedure in new subdivision (d), which will be described below. Of particular note, the numbering and format of the two subdivisions were mirrored to maintain uniformity. For example, Pa.R.J.A. No. 103(c)(4) was "reserved" so that subsequent requirements would align with those in subdivision (d).

Amended subdivision (c) differs from the procedure in new subdivision (d) in two respects. First, there is no requirement that local rules of judicial administration be reviewed to determine if they are inconsistent with the general rules of judicial administration.

Second, subdivision (c)(8) addresses several other matters outside the purview of the Procedural Rules. It has been the view of the Rules Committees that fee schedules are not procedural in nature; rather, setting fees is a matter of judicial administration. To reflect this practice, subdivision (c)(8) was revised to: (1) associate filing fees with local rules of judicial administration; and (2) create an exception to the "no local rule bar" for filing fees. This provision permits a filing to be rejected if the filing fee is not included or otherwise waived.

¹ This recommendation also contains an amendment to the Note to Pa.R.J.A. No. 1952(B)(5) to make a corollary revision to the reference to local rule adoption procedures.

Subdivision (d)

Subdivision (d) will require all local rules of procedure to be submitted to the appropriate Rules Committee for review and approval before adoption to ensure that a local rule is not inconsistent with any general rule of the Supreme Court.² For the convenience of users, subdivision (d) will allow proposed local rules to be submitted via email. Upon written notification from the appropriate Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, the adopting court will then need to publish the local rule in the *Pennsylvania Bulletin* for that local rule to become effective and enforceable. All local rules become effective not less than 30 days after publication in the *Pennsylvania Bulletin*. This allows the adopting court to set a specific date in an order to implement a local rule so long as that date is not less than 30 days after publication. Subdivision (d) also requires the adopting court to file a copy of the local rule with the AOPC, publish a copy of the local rule on the local court website, and then compile the local rule into the set of local rules on the local court website no later than 30 days after publication in the *Pennsylvania Bulletin*.

Subdivision (d) also contains some changes from current practice. For example, Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121 and Pa.R.J.C.P. 1121 all contained provisions that allowed for those Rules Committees to unilaterally suspend local rules. There is no recollection of this authority being exercised in modern rulemaking and it is believed to be an anachronism. This authority has not been included in new subdivision (d). However, subdivision (d)(2) does retain a Rules Committee's authority to recommend, at any time, that the Supreme Court suspend, vacate, or require amendment of a local rule.

New subdivision (d) provides much needed consolidation and uniformity for publication and effective dates of local rules. It also eliminates the requirement to submit certified copies of local rules to the Rules Committees, AOPC, and the Legislative Reference Bureau pursuant to Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5. Under new subdivision (d), the Rules Committees, AOPC, and the Legislative Reference Bureau will not need a certified copy of a local rule because they will be reviewing the local rule prior to publication and issuing a written notification that the local rule is approved. As a result, the requirement to submit certified copies has been eliminated from the proposal.

Procedural Rules

With the consolidation of local rulemaking procedure into Pa.R.J.A. No. 103, the Procedural Rules have been amended to eliminate the specific requirements for local rulemaking within each body of rules. Each of the Procedural Rules provides a cross-reference to Pa.R.J.A. No. 103 indicating where local rulemaking procedure can be found.³ As noted above, this proposal also includes a

recommendation for new Pa.R.C.P.M.D.J. No. 216, which provides the same cross-reference to Pa.R.J.A. No. 103. This new rule was added to the proposal to provide consistency across all bodies of rules.

[Pa.B. Doc. No. 16-1200. Filed for public inspection July 15, 2016, 9:00 a.m.]

PART II. ORPHANS' COURT RULES**[231 PA. CODE PART II]****Order Rescinding and Replacing Rule 1.5 of the Orphans' Court Rules; No. 699 Supreme Court Rules Doc.****Order***Per Curiam*

And Now, this 28th day of June, 2016, upon the recommendation of the Orphans' Court Procedural Rules Committee, the proposal having been published for public comment at 45 Pa.B. 5384 (August 29, 2015):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rule 1.5 of the Pennsylvania Orphans' Court Rules is rescinded and replaced in the following form.

2) Local rules of orphans' court procedure approved and effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(d)(7), see No. 464 Judicial Administration Docket (June 28, 2016); No. 465 Judicial Administration Docket (June 28, 2016), no later than September 1, 2016 to remain effective.

3) Local rules of orphans' court procedure approved by the Orphans' Court Procedural Rules Committee as of August 1, 2016 that have not yet been published pursuant to Pa.O.C. Rule 1.5 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

4) Local rules of orphans' court procedure approved by the Orphans' Court Procedural Rules Committee that have been published in the *Pennsylvania Bulletin* as August 1, 2016 but are not yet effective pursuant to Pa.O.C. Rule 1.5 shall become effective in accordance with Pa.R.J.A. No. 103(d)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A**TITLE 231. RULES OF CIVIL PROCEDURE****PART II. ORPHANS' COURT RULES****CHAPTER I. PRELIMINARY RULES**

(Editor's Note: The following rule replaces Rule 1.5 as published at 45 Pa.B. 7098 (December 19, 2015).)

Rule 1.5. Local Rules.

(a) All previously promulgated local rules are hereby vacated, effective September 1, 2016, except for those local rules promulgated under Chapter 14 regarding guardianship of incapacitated persons, Chapter 15 regarding adoptions, and Chapter 16 regarding proceedings pursuant to section 3206 of the Abortion Control Act.

² The definition of "local rule" in subdivision (d)(1) does not extend to procedural rules adopted by the appellate courts. While much of the practice and procedure in the Commonwealth Court's original jurisdiction would be governed by the Rules of Civil Procedure, see Pa.R.A.P. 1517, there are some proceedings subject to the Commonwealth Court's exclusive procedural rules, see, e.g., Pa.R.A.P. 3771–3784.

This definition also does not include rules of civil procedure adopted by the Philadelphia Municipal Court. Pa.R.C.P. No. 239(a) defines the term "local rule" to include local rules "which are adopted and enforced by a court of common pleas to govern civil practice and procedure." Unlike Pa.R.Crim.P. 105, the Philadelphia Municipal Court was specifically excluded as a court that is subject to Pa.R.C.P. No. 239. See also the definition of "Court" in Phila. M.C.R.Civ. No. 101.

³ Pa.O.C. Rule 1.5 also retains a provision that local rules applicable to practice in the Civil or Trial Division of the Court of Common Pleas are inapplicable to practice in the Orphans' Court Division unless so directed by the statewide rules or specifically by local orphans' court rules.

(b) The requirements for the promulgation and amendment of local procedural rules for orphans' court proceedings are set forth in Pennsylvania Rule of Judicial Administration 103(d).

(c) The local rules applicable to practice in the Civil or Trial Division of the local Court of Common Pleas shall not be applicable in the Orphans' Court Division unless so directed by these Rules or by local rule adopted by the court of the particular judicial district in accordance with Pa.R.J.A. No. 103.

Note: Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rulemaking requirements. Accordingly, the rulemaking requirements under Pa.O.C. Rule 1.5 for the promulgation and amendment of local procedural rules for orphans' court proceedings were rescinded and replaced.

**SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE
CRIMINAL PROCEDURAL RULES COMMITTEE
JUVENILE COURT PROCEDURAL RULES
COMMITTEE
MINOR COURT RULES COMMITTEE
ORPHANS' COURT PROCEDURAL RULES
COMMITTEE**

Report

On June 28, 2016, the Court amended Pa.R.J.A. No. 103 to consolidate the local rulemaking procedure in the courts of common pleas and replace the requirements currently set forth in Pa.R.C.P. No. 239, Pa.R.C.P. No. 239.8, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5 (collectively "Procedural Rules"). The Court also adopted new Pa.R.C.P.M.D.J. No. 216 to provide a cross-reference to the consolidated local rulemaking procedure in Pa.R.J.A. No. 103.¹

On August 29, 2015, the Rules Committees published a joint proposal at 45 Pa.B. 5384 to modify the local rulemaking procedure to require courts to publish their local rules on their court or county's website, which the majority are presently doing, and to effectively require the AOPC to add a link on the UJS website back to each court or county website where local rules are maintained. Each county already has a webpage on the UJS website (<http://www.pacourts.us/courts/courts-of-common-pleas/>). In addition, the Civil Procedural Rules Committee would prospectively expand its review to all local rules of civil procedure while the Domestic Relations Procedural Rules Committee would begin to review all new and amended "family court" rules. Please note that the scope of review is limited to whether the local rule is inconsistent with a statewide rule; the Rules Committees do not review the merits or wisdom of the local rule.

After addressing comments, some of which prompted further revisions, the Rules Committees proceeded to recommend multiple rule changes to effectuate this proposal. During this process, the need to maintain five individual procedures for the promulgation of local rules was reconsidered. Historically, the different procedures accrued as each body adopted a review process over the span of decades. However, the process is at a point where the review requirement is nearly uniform across all bodies of rules; therefore, the continued need for separate rules no longer appears substantiated.

Accordingly, the prior proposal was revised to include:

1) Consolidation of all local procedural rulemaking requirements, currently existing in various statewide procedural rules, into one Rule of Judicial Administration.

2) Compilation and publication of all local rules of judicial administration on the website of the respective court or county.

3) Expansion of the review requirement to encompass local rules governing magisterial district courts, which rules are promulgated infrequently, but included for the purpose of uniformity.

Pennsylvania Rule of Judicial Administration 103, which governs rulemaking generally in the Unified Judicial System, appeared as the appropriate vehicle for the consolidated procedure. Current subdivision (c) of Pa.R.J.A. No. 103 provides a procedure for adoption of local rules other than local procedural rules, such as local rules of judicial administration, which are outside the purview of the procedural rules. In consultation with the Administrative Office of Pennsylvania Courts, separate procedures for local rules of judicial administration and local rules of procedure were developed. Subdivision (c) governs the adoption of local rules of judicial administration, while new subdivision (d) governs the adoption of local procedural rules.

Subdivision (c)

Current subdivision (c) functions as a "residuary" procedure. Local rules that do not come under the purview of the Procedural Rules are promulgated in accordance with subdivision (c). Revisions were made to subdivision (c) to change it from serving as a "residuary" function to a distinct category by labeling it "local rules of judicial administration."

To the greatest extent possible, the procedure in amended subdivision (c) is the same as the procedure in new subdivision (d), which will be described below. Of particular note, the numbering and format of the two subdivisions were mirrored to maintain uniformity. For example, Pa.R.J.A. No. 103(c)(4) was "reserved" so that subsequent requirements would align with those in subdivision (d).

Amended subdivision (c) differs from the procedure in new subdivision (d) in two respects. First, there is no requirement that local rules of judicial administration be reviewed to determine if they are inconsistent with the general rules of judicial administration.

Second, subdivision (c)(8) addresses several other matters outside the purview of the Procedural Rules. It has been the view of the Rules Committees that fee schedules are not procedural in nature; rather, setting fees is a matter of judicial administration. To reflect this practice, subdivision (c)(8) was revised to: (1) associate filing fees with local rules of judicial administration; and (2) create an exception to the "no local rule bar" for filing fees. This provision permits a filing to be rejected if the filing fee is not included or otherwise waived.

Subdivision (d)

Subdivision (d) will require all local rules of procedure to be submitted to the appropriate Rules Committee for review and approval before adoption to ensure that a local rule is not inconsistent with any general rule of the Supreme Court.² For the convenience of users, subdivi-

¹ This recommendation also contains an amendment to the Note to Pa.R.J.A. No. 1952(B)(5) to make a corollary revision to the reference to local rule adoption procedures.

² The definition of "local rule" in subdivision (d)(1) does not extend to procedural rules adopted by the appellate courts. While much of the practice and procedure in the Commonwealth Court's original jurisdiction would be governed by the Rules of Civil

sion (d) will allow proposed local rules to be submitted via email. Upon written notification from the appropriate Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, the adopting court will then need to publish the local rule in the *Pennsylvania Bulletin* for that local rule to become effective and enforceable. All local rules become effective not less than 30 days after publication in the *Pennsylvania Bulletin*. This allows the adopting court to set a specific date in an order to implement a local rule so long as that date is not less than 30 days after publication. Subdivision (d) also requires the adopting court to file a copy of the local rule with the AOPC, publish a copy of the local rule on the local court website, and then compile the local rule into the set of local rules on the local court website no later than 30 days after publication in the *Pennsylvania Bulletin*.

Subdivision (d) also contains some changes from current practice. For example, Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121 and Pa.R.J.C.P. 1121 all contained provisions that allowed for those Rules Committees to unilaterally suspend local rules. There is no recollection of this authority being exercised in modern rulemaking and it is believed to be an anachronism. This authority has not been included in new subdivision (d). However, subdivision (d)(2) does retain a Rules Committee's authority to recommend, at any time, that the Supreme Court suspend, vacate, or require amendment of a local rule.

New subdivision (d) provides much needed consolidation and uniformity for publication and effective dates of local rules. It also eliminates the requirement to submit certified copies of local rules to the Rules Committees, AOPC, and the Legislative Reference Bureau pursuant to Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5. Under new subdivision (d), the Rules Committees, AOPC, and the Legislative Reference Bureau will not need a certified copy of a local rule because they will be reviewing the local rule prior to publication and issuing a written notification that the local rule is approved. As a result, the requirement to submit certified copies has been eliminated from the proposal.

Procedural Rules

With the consolidation of local rulemaking procedure into Pa.R.J.A. No. 103, the Procedural Rules have been amended to eliminate the specific requirements for local rulemaking within each body of rules. Each of the Procedural Rules provides a cross-reference to Pa.R.J.A. No. 103 indicating where local rulemaking procedure can be found.³ As noted above, this proposal also includes a recommendation for new Pa.R.C.P.M.D.J. No. 216, which provides the same cross-reference to Pa.R.J.A. No. 103. This new rule was added to the proposal to provide consistency across all bodies of rules.

[Pa.B. Doc. No. 16-1201. Filed for public inspection July 15, 2016, 9:00 a.m.]

Procedure, see Pa.R.A.P. 1517, there are some proceedings subject to the Commonwealth Court's exclusive procedural rules, see, e.g., Pa.R.A.P. 3771—3784.

This definition also does not include rules of civil procedure adopted by the Philadelphia Municipal Court. Pa.R.C.P. No. 239(a) defines the term "local rule" to include local rules "which are adopted and enforced by a court of common pleas to govern civil practice and procedure." Unlike Pa.R.Crim.P. 105, the Philadelphia Municipal Court was specifically excluded as a court that is subject to Pa.R.C.P. No. 239. See also the definition of "Court" in Phila. M.C.R.Civ. No. 101.

³ Pa.O.C. Rule 1.5 also retains a provision that local rules applicable to practice in the Civil or Trial Division of the Court of Common Pleas are inapplicable to practice in the Orphans' Court Division unless so directed by the statewide rules or specifically by local orphans' court rules.

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CH. 1]

Order Rescinding and Replacing Rule 105 of the Rules of Criminal Procedure; No. 477 Criminal Procedural Rules Doc.

Order

Per Curiam

And Now, this 28th day of June, 2016, upon the recommendation of the Criminal Procedural Rules Committee, the proposal having been published for public comment at 45 Pa.B. 5384 (August 29, 2015):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rule 105 of the Pennsylvania Rules of Criminal Procedure is rescinded and replaced in the following form.

2) Local rules of criminal procedure effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(d)(7), see No. 464 Judicial Administration Docket (June 28, 2016); No. 465 Judicial Administration Docket (June 28, 2016), no later than September 1, 2016 to remain effective.

3) Local rules of criminal procedure approved by the Criminal Procedural Rules Committee as of August 1, 2016 that have not yet been published pursuant to Pa.R.Crim.P. 105 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)—(7), see No. 465 Judicial Administration Docket (June 28, 2016).

4) Local rules of criminal procedure approved by the Criminal Procedural Rules Committee that have been published in the *Pennsylvania Bulletin* as August 1, 2016 but are not yet effective pursuant to Pa.R.Crim.P. 105 shall become effective in accordance with Pa.R.J.A. No. 103(d)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)—(7), see No. 465 Judicial Administration Docket (June 28, 2016).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART A. Business of the Courts

(*Editor's Note:* The following rule replaces Rule 105 which appears in 234 Pa. Code pages 1-11—1-12.2, serial pages (372099) to (372102).)

Rule 105. Local Rules.

Procedures for the promulgation and amendment of local criminal procedural rules are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Comment

In 2016, the Supreme Court of Pennsylvania unified and consolidated the requirements and procedures for the promulgation and amendment of all local procedural rules, including local criminal procedural rules, into Pennsylvania Rule of Judicial Administration 103(d). All

local rules previously promulgated in accordance with the requirements of Pa.R.Crim.P. 105 prior to this amendment remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

Official Note: Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; Comment revised June 8, 2001, effective immediately; amended October 15, 2004, effective January 1, 2005; amended September 9, 2005, effective February 1, 2006; amended January 25, 2008, effective February 1, 2009; amended January 30, 2009, effective February 1, 2009; amended May 7, 2014, effective immediately; rescinded June 28, 2016, effective August 1, 2016. New Rule 105 adopted June 28, 2016, effective August 1, 2016.

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the October 24, 2000 amendments published with the Court's Order at 30 Pa.B. 5742 (November 11, 2000).

Final Report explaining the June 8, 2001 Comment revision citing to the AOPC's webpage published with the Court's Order at 31 Pa.B. 3310 (June 23, 2001).

Final Report explaining the October 15, 2004 amendment to paragraph (A), and to paragraph (C)(3) concerning the Legislative Reference Bureau publication requirements, published with the Court's Order at 34 Pa.B. 5893 (October 30, 2004).

Final Report explaining the September 9, 2005 amendments to paragraph (A) published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

Final Report explaining the January 25, 2008 changes to Rule 105 concerning submission of local rules for review prior to adoption published with the Court's Order at 38 Pa.B. 746 (February 9, 2008).

Final Report explaining the January 30, 2009 changes to Rule 105 concerning publication of local rules on the UJS Portal published with the Court's Order at 39 Pa.B. 829 (February 14, 2009).

Final Report explaining the May 7, 2014 amendments concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3056 (May 24, 2014).

Final Report explaining the June 28, 2016 rescission of Rule 105, adoption of new Rule 105, and the consolidation of the local rulemaking approval and adoption procedures in Pa.R.J.A.103(d) published with the Court's Order at 46 Pa.B. 3807 (July 16, 2016).

SUPREME COURT OF PENNSYLVANIA

CIVIL PROCEDURAL RULES COMMITTEE

CRIMINAL PROCEDURAL RULES COMMITTEE

JUVENILE COURT PROCEDURAL RULES COMMITTEE

MINOR COURT RULES COMMITTEE

ORPHANS' COURT PROCEDURAL RULES COMMITTEE

Report

On June 28, 2016, the Court amended Pa.R.J.A. No. 103 to consolidate the local rulemaking procedure in the courts of common pleas and replace the requirements

currently set forth in Pa.R.C.P. No. 239, Pa.R.C.P. No. 239.8, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5 (collectively "Procedural Rules"). The Court also adopted new Pa.R.C.P.M.D.J. No. 216 to provide a cross-reference to the consolidated local rulemaking procedure in Pa.R.J.A. No. 103.¹

On August 29, 2015, the Rules Committees published a joint proposal at 45 Pa.B. 5384 to modify the local rulemaking procedure to require courts to publish their local rules on their court or county's website, which the majority are presently doing, and to effectively require the AOPC to add a link on the UJS website back to each court or county website where local rules are maintained. Each county already has a webpage on the UJS website (<http://www.pacourts.us/courts/courts-of-common-pleas/>). In addition, the Civil Procedural Rules Committee would prospectively expand its review to all local rules of civil procedure while the Domestic Relations Procedural Rules Committee would begin to review all new and amended "family court" rules. Please note that the scope of review is limited to whether the local rule is inconsistent with a statewide rule; the Rules Committees do not review the merits or wisdom of the local rule.

After addressing comments, some of which prompted further revisions, the Rules Committees proceeded to recommend multiple rule changes to effectuate this proposal. During this process, the need to maintain five individual procedures for the promulgation of local rules was reconsidered. Historically, the different procedures accrued as each body adopted a review process over the span of decades. However, the process is at a point where the review requirement is nearly uniform across all bodies of rules; therefore, the continued need for separate rules no longer appears substantiated.

Accordingly, the prior proposal was revised to include:

1) Consolidation of all local procedural rulemaking requirements, currently existing in various statewide procedural rules, into one Rule of Judicial Administration.

2) Compilation and publication of all local rules of judicial administration on the website of the respective court or county.

3) Expansion of the review requirement to encompass local rules governing magisterial district courts, which rules are promulgated infrequently, but included for the purpose of uniformity.

Pennsylvania Rule of Judicial Administration 103, which governs rulemaking generally in the Unified Judicial System, appeared as the appropriate vehicle for the consolidated procedure. Current subdivision (c) of Pa.R.J.A. No. 103 provides a procedure for adoption of local rules other than local procedural rules, such as local rules of judicial administration, which are outside the purview of the procedural rules. In consultation with the Administrative Office of Pennsylvania Courts, separate procedures for local rules of judicial administration and local rules of procedure were developed. Subdivision (c) governs the adoption of local rules of judicial administration, while new subdivision (d) governs the adoption of local procedural rules.

Subdivision (c)

Current subdivision (c) functions as a "residuary" procedure. Local rules that do not come under the purview of the Procedural Rules are promulgated in accordance with

¹ This recommendation also contains an amendment to the Note to Pa.R.J.A. No. 1952(B)(5) to make a corollary revision to the reference to local rule adoption procedures.

subdivision (c). Revisions were made to subdivision (c) to change it from serving as a “residuary” function to a distinct category by labeling it “local rules of judicial administration.”

To the greatest extent possible, the procedure in amended subdivision (c) is the same as the procedure in new subdivision (d), which will be described below. Of particular note, the numbering and format of the two subdivisions were mirrored to maintain uniformity. For example, Pa.R.J.A. No. 103(c)(4) was “reserved” so that subsequent requirements would align with those in subdivision (d).

Amended subdivision (c) differs from the procedure in new subdivision (d) in two respects. First, there is no requirement that local rules of judicial administration be reviewed to determine if they are inconsistent with the general rules of judicial administration.

Second, subdivision (c)(8) addresses several other matters outside the purview of the Procedural Rules. It has been the view of the Rules Committees that fee schedules are not procedural in nature; rather, setting fees is a matter of judicial administration. To reflect this practice, subdivision (c)(8) was revised to: (1) associate filing fees with local rules of judicial administration; and (2) create an exception to the “no local rule bar” for filing fees. This provision permits a filing to be rejected if the filing fee is not included or otherwise waived.

Subdivision (d)

Subdivision (d) will require all local rules of procedure to be submitted to the appropriate Rules Committee for review and approval before adoption to ensure that a local rule is not inconsistent with any general rule of the Supreme Court.² For the convenience of users, subdivision (d) will allow proposed local rules to be submitted via email. Upon written notification from the appropriate Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, the adopting court will then need to publish the local rule in the *Pennsylvania Bulletin* for that local rule to become effective and enforceable. All local rules become effective not less than 30 days after publication in the *Pennsylvania Bulletin*. This allows the adopting court to set a specific date in an order to implement a local rule so long as that date is not less than 30 days after publication. Subdivision (d) also requires the adopting court to file a copy of the local rule with the AOPC, publish a copy of the local rule on the local court website, and then compile the local rule into the set of local rules on the local court website no later than 30 days after publication in the *Pennsylvania Bulletin*.

Subdivision (d) also contains some changes from current practice. For example, Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121 and Pa.R.J.C.P. 1121 all contained provisions that allowed for those Rules Committees to unilaterally suspend local rules. There is no recollection of this authority being exercised in modern rulemaking and it is believed to be an anachronism. This authority has not been included in new subdivision (d). However, subdivision (d)(2) does retain a Rules Commit-

tee’s authority to recommend, at any time, that the Supreme Court suspend, vacate, or require amendment of a local rule.

New subdivision (d) provides much needed consolidation and uniformity for publication and effective dates of local rules. It also eliminates the requirement to submit certified copies of local rules to the Rules Committees, AOPC, and the Legislative Reference Bureau pursuant to Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5. Under new subdivision (d), the Rules Committees, AOPC, and the Legislative Reference Bureau will not need a certified copy of a local rule because they will be reviewing the local rule prior to publication and issuing a written notification that the local rule is approved. As a result, the requirement to submit certified copies has been eliminated from the proposal.

Procedural Rules

With the consolidation of local rulemaking procedure into Pa.R.J.A. No. 103, the Procedural Rules have been amended to eliminate the specific requirements for local rulemaking within each body of rules. Each of the Procedural Rules provides a cross-reference to Pa.R.J.A. No. 103 indicating where local rulemaking procedure can be found.³ As noted above, this proposal also includes a recommendation for new Pa.R.C.P.M.D.J. No. 216, which provides the same cross-reference to Pa.R.J.A. No. 103. This new rule was added to the proposal to provide consistency across all bodies of rules.

[Pa.B. Doc. No. 16-1202. Filed for public inspection July 15, 2016, 9:00 a.m.]

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1 AND 11]

Order Rescinding and Replacing Rule 121 and Rule 1121 of the Rules of Juvenile Court Procedure; No. 700 Supreme Court Rules Doc.

Order

Per Curiam

And Now, this 28th day of June, 2016, upon the recommendation of the Juvenile Court Procedural Rules Committee, the proposal having been published for public comment at 45 Pa.B. 5384 (August 29, 2015):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rule 121 and Rule 1121 of the Pennsylvania Rules of Juvenile Court Procedure are rescinded and replaced in the following form.

2) Local rules of juvenile court procedure effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(d)(7), see No. 464 Judicial Administration Docket (June 28, 2016); No. 465 Judicial Administration Docket (June 28, 2016), no later than September 1, 2016 to remain effective.

³ Pa.O.C. Rule 1.5 also retains a provision that local rules applicable to practice in the Civil or Trial Division of the Court of Common Pleas are inapplicable to practice in the Orphans’ Court Division unless so directed by the statewide rules or specifically by local orphans’ court rules.

² The definition of “local rule” in subdivision (d)(1) does not extend to procedural rules adopted by the appellate courts. While much of the practice and procedure in the Commonwealth Court’s original jurisdiction would be governed by the Rules of Civil Procedure, see Pa.R.A.P. 1517, there are some proceedings subject to the Commonwealth Court’s exclusive procedural rules, see, e.g., Pa.R.A.P. 3771—3784.

This definition also does not include rules of civil procedure adopted by the Philadelphia Municipal Court. Pa.R.C.P. No. 239(a) defines the term “local rule” to include local rules “which are adopted and enforced by a court of common pleas to govern civil practice and procedure.” Unlike Pa.R.Crim.P. 105, the Philadelphia Municipal Court was specifically excluded as a court that is subject to Pa.R.C.P. No. 239. See also the definition of “Court” in Phila. M.C.R.Civ. No. 101.

3) Local rules of juvenile court procedure approved by the Juvenile Court Procedural Rules Committee as of August 1, 2016 that have not yet been published pursuant to Pa.R.J.C.P. 121 or Pa.R.J.C.P. 1121 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

4) Local rules of juvenile court procedure approved by the Juvenile Court Procedural Rules Committee that have been published in the *Pennsylvania Bulletin* as August 1, 2016 but are not yet effective pursuant to Pa.R.J.C.P. 121 or Pa.R.J.C.P. 1121 shall become effective in accordance with Pa.R.J.A. No. 103(d)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)–(7), see No. 465 Judicial Administration Docket (June 28, 2016).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART A. BUSINESS OF COURTS

(*Editor's Note:* The following rule replaces Rule 121 which appears in 237 Pa. Code pages 1-7—1-10, serial pages (347937)—(347940).)

Rule 121. Local Rules.

The requirements for the promulgation and amendment of local procedural rules for delinquency proceedings are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Comment

Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rulemaking requirements. Accordingly, the rulemaking requirements under Pa.R.J.C.P. 121 for the promulgation and amendment of local procedural rules for delinquency proceedings were rescinded and replaced. All local rules previously promulgated in accordance with the requirements of Pa.R.J.C.P. 121 prior to rescission of this rule remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

Official Note: Rule 121 adopted April 1, 2005, effective October 1, 2005. Amended December 12, 2008, effective immediately. Amended January 11, 2010, effective March 1, 2010. Rescinded and replaced June 28, 2016, effective August 1, 2016.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 121 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 121 published with the Court's Order at 38 Pa.B. 7080 (December 27, 2008).

Final Report explaining the amendments to Rule 121 published with the Court's Order at 40 Pa.B. 518 (January 23, 2010).

Final Report explaining the rescission and replacement of Rule 121 published with the Court's Order at 46 Pa.B. 3808 (July 16, 2016).

Subpart B. DEPENDENCY MATTERS

CHAPTER 11. GENERAL PROVISIONS

PART A. BUSINESS OF COURTS

(*Editor's Note:* The following rule replaces Rule 1121 which appears in 237 Pa. Code pages 11-6.3—11-8.1, serial pages (379797) and (347951)—(347953).)

Rule 1121. Local Rules.

The requirements for the promulgation and amendment of local procedural rules for dependency proceedings are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Comment

Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rulemaking requirements. Accordingly, the rulemaking requirements under Pa.R.J.C.P. 1121 for the promulgation and amendment of local procedural rules for dependency proceedings were rescinded and replaced. All local rules previously promulgated in accordance with the requirements of Pa.R.J.C.P. 1121 prior to rescission of this rule remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

Official Note: Rule 1121 adopted August, 21, 2006, effective February 1, 2007. Amended December 12, 2008, effective immediately. Amended January 11, 2010, effective March 1, 2010. Rescinded and replaced June 28, 2016, effective August 1, 2016.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 1121 published with the Court's Order at 36 Pa.B. 5571 (September 2, 2006).

Final Report explaining the amendments to Rule 1121 published with the Court's Order at 38 Pa.B. 7080 (December 27, 2008).

Final Report explaining the amendments to Rule 1121 published with the Courts Order at 40 Pa.B. 518 (January 23, 2010).

Final Report explaining the rescission and replacement of Rule 1121 published with the Court's Order at 46 Pa.B. 3808 (July 16, 2016).

SUPREME COURT OF PENNSYLVANIA

CIVIL PROCEDURAL RULES COMMITTEE CRIMINAL PROCEDURAL RULES COMMITTEE JUVENILE COURT PROCEDURAL RULES COMMITTEE MINOR COURT RULES COMMITTEE ORPHANS' COURT PROCEDURAL RULES COMMITTEE

Report

On June 28, 2016, the Court amended Pa.R.J.A. No. 103 to consolidate the local rulemaking procedure in the courts of common pleas and replace the requirements currently set forth in Pa.R.C.P. No. 239, Pa.R.C.P. No. 239.8, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5 (collectively "Procedural Rules"). The Court also adopted new Pa.R.C.P.M.D.J. No. 216 to provide a cross-reference to the consolidated local rulemaking procedure in Pa.R.J.A. No. 103.¹

¹ This recommendation also contains an amendment to the Note to Pa.R.J.A. No. 1952(B)(5) to make a corollary revision to the reference to local rule adoption procedures.

On August 29, 2015, the Rules Committees published a joint proposal at 45 Pa.B. 5384 to modify the local rulemaking procedure to require courts to publish their local rules on their court or county's website, which the majority are presently doing, and to effectively require the AOPC to add a link on the UJS website back to each court or county website where local rules are maintained. Each county already has a webpage on the UJS website (<http://www.pacourts.us/courts/courts-of-common-pleas/>). In addition, the Civil Procedural Rules Committee would prospectively expand its review to all local rules of civil procedure while the Domestic Relations Procedural Rules Committee would begin to review all new and amended "family court" rules. Please note that the scope of review is limited to whether the local rule is inconsistent with a statewide rule; the Rules Committees do not review the merits or wisdom of the local rule.

After addressing comments, some of which prompted further revisions, the Rules Committees proceeded to recommend multiple rule changes to effectuate this proposal. During this process, the need to maintain five individual procedures for the promulgation of local rules was reconsidered. Historically, the different procedures accrued as each body adopted a review process over the span of decades. However, the process is at a point where the review requirement is nearly uniform across all bodies of rules; therefore, the continued need for separate rules no longer appears substantiated.

Accordingly, the prior proposal was revised to include:

- 1) Consolidation of all local procedural rulemaking requirements, currently existing in various statewide procedural rules, into one Rule of Judicial Administration.
- 2) Compilation and publication of all local rules of judicial administration on the website of the respective court or county.
- 3) Expansion of the review requirement to encompass local rules governing magisterial district courts, which rules are promulgated infrequently, but included for the purpose of uniformity.

Pennsylvania Rule of Judicial Administration 103, which governs rulemaking generally in the Unified Judicial System, appeared as the appropriate vehicle for the consolidated procedure. Current subdivision (c) of Pa.R.J.A. No. 103 provides a procedure for adoption of local rules other than local procedural rules, such as local rules of judicial administration, which are outside the purview of the procedural rules. In consultation with the Administrative Office of Pennsylvania Courts, separate procedures for local rules of judicial administration and local rules of procedure were developed. Subdivision (c) governs the adoption of local rules of judicial administration, while new subdivision (d) governs the adoption of local procedural rules.

Subdivision (c)

Current subdivision (c) functions as a "residuary" procedure. Local rules that do not come under the purview of the Procedural Rules are promulgated in accordance with subdivision (c). Revisions were made to subdivision (c) to change it from serving as a "residuary" function to a distinct category by labeling it "local rules of judicial administration."

To the greatest extent possible, the procedure in amended subdivision (c) is the same as the procedure in new subdivision (d), which will be described below. Of particular note, the numbering and format of the two subdivisions were mirrored to maintain uniformity. For

example, Pa.R.J.A. No. 103(c)(4) was "reserved" so that subsequent requirements would align with those in subdivision (d).

Amended subdivision (c) differs from the procedure in new subdivision (d) in two respects. First, there is no requirement that local rules of judicial administration be reviewed to determine if they are inconsistent with the general rules of judicial administration.

Second, subdivision (c)(8) addresses several other matters outside the purview of the Procedural Rules. It has been the view of the Rules Committees that fee schedules are not procedural in nature; rather, setting fees is a matter of judicial administration. To reflect this practice, subdivision (c)(8) was revised to: (1) associate filing fees with local rules of judicial administration; and (2) create an exception to the "no local rule bar" for filing fees. This provision permits a filing to be rejected if the filing fee is not included or otherwise waived.

Subdivision (d)

Subdivision (d) will require all local rules of procedure to be submitted to the appropriate Rules Committee for review and approval before adoption to ensure that a local rule is not inconsistent with any general rule of the Supreme Court.² For the convenience of users, subdivision (d) will allow proposed local rules to be submitted via email. Upon written notification from the appropriate Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, the adopting court will then need to publish the local rule in the *Pennsylvania Bulletin* for that local rule to become effective and enforceable. All local rules become effective not less than 30 days after publication in the *Pennsylvania Bulletin*. This allows the adopting court to set a specific date in an order to implement a local rule so long as that date is not less than 30 days after publication. Subdivision (d) also requires the adopting court to file a copy of the local rule with the AOPC, publish a copy of the local rule on the local court website, and then compile the local rule into the set of local rules on the local court website no later than 30 days after publication in the *Pennsylvania Bulletin*.

Subdivision (d) also contains some changes from current practice. For example, Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121 and Pa.R.J.C.P. 1121 all contained provisions that allowed for those Rules Committees to unilaterally suspend local rules. There is no recollection of this authority being exercised in modern rulemaking and it is believed to be an anachronism. This authority has not been included in new subdivision (d). However, subdivision (d)(2) does retain a Rules Committee's authority to recommend, at any time, that the Supreme Court suspend, vacate, or require amendment of a local rule.

New subdivision (d) provides much needed consolidation and uniformity for publication and effective dates of local rules. It also eliminates the requirement to submit certified copies of local rules to the Rules Committees, AOPC, and the Legislative Reference Bureau pursuant to Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121,

² The definition of "local rule" in subdivision (d)(1) does not extend to procedural rules adopted by the appellate courts. While much of the practice and procedure in the Commonwealth Court's original jurisdiction would be governed by the Rules of Civil Procedure, see Pa.R.A.P. 1517, there are some proceedings subject to the Commonwealth Court's exclusive procedural rules, see, e.g., Pa.R.A.P. 3771—3784.

This definition also does not include rules of civil procedure adopted by the Philadelphia Municipal Court. Pa.R.C.P. No. 239(a) defines the term "local rule" to include local rules "which are adopted and enforced by a court of common pleas to govern civil practice and procedure." Unlike Pa.R.Crim.P. 105, the Philadelphia Municipal Court was specifically excluded as a court that is subject to Pa.R.C.P. No. 239. See also the definition of "Court" in Phila. M.C.R.Civ. No. 101.

Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5. Under new subdivision (d), the Rules Committees, AOPC, and the Legislative Reference Bureau will not need a certified copy of a local rule because they will be reviewing the local rule prior to publication and issuing a written notification that the local rule is approved. As a result, the requirement to submit certified copies has been eliminated from the proposal.

Procedural Rules

With the consolidation of local rulemaking procedure into Pa.R.J.A. No. 103, the Procedural Rules have been amended to eliminate the specific requirements for local rulemaking within each body of rules. Each of the Procedural Rules provides a cross-reference to Pa.R.J.A. No. 103 indicating where local rulemaking procedure can be found.³ As noted above, this proposal also includes a recommendation for new Pa.R.C.P.M.D.J. No. 216, which provides the same cross-reference to Pa.R.J.A. No. 103. This new rule was added to the proposal to provide consistency across all bodies of rules.

[Pa.B. Doc. No. 16-1203. Filed for public inspection July 15, 2016, 9:00 a.m.]

Title 246—MINOR COURT CIVIL RULES

PART I. GENERAL

[246 PA. CODE CH. 200]

Order Adopting Rule 216 of the Rules of Civil Procedure before Magisterial District Judges; No. 399 Magisterial Doc.

Order

Per Curiam

And Now, this 28th day of June, 2016, upon the recommendation of the Minor Court Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(b):

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that:

1) Rule 216 of the Pennsylvania Rules of Civil Procedure before Magisterial District Judges is adopted in the following form.

2) Local rules of civil procedure before magisterial district judges effective prior to August 1, 2016 shall be compiled and published on the local court website in accordance with Pa.R.J.A. No. 103(d)(7), see No. 464 Judicial Administration Docket (June 28, 2016); No. 465 Judicial Administration Docket (June 28, 2016), no later than September 1, 2016 to remain effective.

3) Local rules of civil procedure before magisterial district judges that have been adopted before, but not yet published in the *Pennsylvania Bulletin* as of August 1, 2016 shall be subject to the requirements of Pa.R.J.A. No. 103(d)(5)—(7), see No. 465 Judicial Administration Docket (June 28, 2016).

³ Pa.O.C. Rule 1.5 also retains a provision that local rules applicable to practice in the Civil or Trial Division of the Court of Common Pleas are inapplicable to practice in the Orphans' Court Division unless so directed by the statewide rules or specifically by local orphans' court rules.

4) Local rules of civil procedure before magisterial district judges that have been published in the *Pennsylvania Bulletin* as of August 1, 2016 but are not yet effective shall become effective in accordance with Pa.R.J.A. No. 103(d)(5)(iii) and shall be subject to the requirements of Pa.R.J.A. No. 103(d)(6)—(7), see No. 465 Judicial Administration Docket (June 28, 2016).

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on August 1, 2016.

Annex A

TITLE 246. MINOR COURT CIVIL RULES

PART I. GENERAL

CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

Rule 216. Local Rules.

The requirements for the promulgation and amendment of local procedural rules for proceedings in magisterial district courts subject to these rules are set forth in Pennsylvania Rule of Judicial Administration 103(d).

Official Note: Effective August 1, 2016, Pennsylvania Rule of Judicial Administration 103 was amended to consolidate and include all local rulemaking requirements, including local rules applying to proceedings under the Rules of Civil Procedure before Magisterial District Judges. All local rules previously promulgated remain effective upon compilation and publication pursuant to Pa.R.J.A. No. 103(d)(7).

SUPREME COURT OF PENNSYLVANIA

CIVIL PROCEDURAL RULES COMMITTEE CRIMINAL PROCEDURAL RULES COMMITTEE JUVENILE COURT PROCEDURAL RULES COMMITTEE MINOR COURT RULES COMMITTEE ORPHANS' COURT PROCEDURAL RULES COMMITTEE

Report

On June 28, 2016, the Court amended Pa.R.J.A. No. 103 to consolidate the local rulemaking procedure in the courts of common pleas and replace the requirements currently set forth in Pa.R.C.P. No. 239, Pa.R.C.P. No. 239.8, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5 (collectively "Procedural Rules"). The Court also adopted new Pa.R.C.P.M.D.J. No. 216 to provide a cross-reference to the consolidated local rulemaking procedure in Pa.R.J.A. No. 103.¹

On August 29, 2015, the Rules Committees published a joint proposal at 45 Pa.B. 5384 to modify the local rulemaking procedure to require courts to publish their local rules on their court or county's website, which the majority are presently doing, and to effectively require the AOPC to add a link on the UJS website back to each court or county website where local rules are maintained. Each county already has a webpage on the UJS website (<http://www.pacourts.us/courts/courts-of-common-pleas/>).

¹ This recommendation also contains an amendment to the Note to Pa.R.J.A. No. 1952(B)(5) to make a corollary revision to the reference to local rule adoption procedures.

In addition, the Civil Procedural Rules Committee would prospectively expand its review to all local rules of civil procedure while the Domestic Relations Procedural Rules Committee would begin to review all new and amended “family court” rules. Please note that the scope of review is limited to whether the local rule is inconsistent with a statewide rule; the Rules Committees do not review the merits or wisdom of the local rule.

After addressing comments, some of which prompted further revisions, the Rules Committees proceeded to recommend multiple rule changes to effectuate this proposal. During this process, the need to maintain five individual procedures for the promulgation of local rules was reconsidered. Historically, the different procedures accrued as each body adopted a review process over the span of decades. However, the process is at a point where the review requirement is nearly uniform across all bodies of rules; therefore, the continued need for separate rules no longer appears substantiated.

Accordingly, the prior proposal was revised to include:

1) Consolidation of all local procedural rulemaking requirements, currently existing in various statewide procedural rules, into one Rule of Judicial Administration.

2) Compilation and publication of all local rules of judicial administration on the website of the respective court or county.

3) Expansion of the review requirement to encompass local rules governing magisterial district courts, which rules are promulgated infrequently, but included for the purpose of uniformity.

Pennsylvania Rule of Judicial Administration 103, which governs rulemaking generally in the Unified Judicial System, appeared as the appropriate vehicle for the consolidated procedure. Current subdivision (c) of Pa.R.J.A. No. 103 provides a procedure for adoption of local rules other than local procedural rules, such as local rules of judicial administration, which are outside the purview of the procedural rules. In consultation with the Administrative Office of Pennsylvania Courts, separate procedures for local rules of judicial administration and local rules of procedure were developed. Subdivision (c) governs the adoption of local rules of judicial administration, while new subdivision (d) governs the adoption of local procedural rules.

Subdivision (c)

Current subdivision (c) functions as a “residuary” procedure. Local rules that do not come under the purview of the Procedural Rules are promulgated in accordance with subdivision (c). Revisions were made to subdivision (c) to change it from serving as a “residuary” function to a distinct category by labeling it “local rules of judicial administration.”

To the greatest extent possible, the procedure in amended subdivision (c) is the same as the procedure in new subdivision (d), which will be described below. Of particular note, the numbering and format of the two subdivisions were mirrored to maintain uniformity. For example, Pa.R.J.A. No. 103(c)(4) was “reserved” so that subsequent requirements would align with those in subdivision (d).

Amended subdivision (c) differs from the procedure in new subdivision (d) in two respects. First, there is no requirement that local rules of judicial administration be reviewed to determine if they are inconsistent with the general rules of judicial administration.

Second, subdivision (c)(8) addresses several other matters outside the purview of the Procedural Rules. It has been the view of the Rules Committees that fee schedules are not procedural in nature; rather, setting fees is a matter of judicial administration. To reflect this practice, subdivision (c)(8) was revised to: (1) associate filing fees with local rules of judicial administration; and (2) create an exception to the “no local rule bar” for filing fees. This provision permits a filing to be rejected if the filing fee is not included or otherwise waived.

Subdivision (d)

Subdivision (d) will require all local rules of procedure to be submitted to the appropriate Rules Committee for review and approval before adoption to ensure that a local rule is not inconsistent with any general rule of the Supreme Court.² For the convenience of users, subdivision (d) will allow proposed local rules to be submitted via email. Upon written notification from the appropriate Rules Committee that the local rule is not inconsistent with any general rule of the Supreme Court, the adopting court will then need to publish the local rule in the *Pennsylvania Bulletin* for that local rule to become effective and enforceable. All local rules become effective not less than 30 days after publication in the *Pennsylvania Bulletin*. This allows the adopting court to set a specific date in an order to implement a local rule so long as that date is not less than 30 days after publication. Subdivision (d) also requires the adopting court to file a copy of the local rule with the AOPC, publish a copy of the local rule on the local court website, and then compile the local rule into the set of local rules on the local court website no later than 30 days after publication in the *Pennsylvania Bulletin*.

Subdivision (d) also contains some changes from current practice. For example, Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121 and Pa.R.J.C.P. 1121 all contained provisions that allowed for those Rules Committees to unilaterally suspend local rules. There is no recollection of this authority being exercised in modern rulemaking and it is believed to be an anachronism. This authority has not been included in new subdivision (d). However, subdivision (d)(2) does retain a Rules Committee’s authority to recommend, at any time, that the Supreme Court suspend, vacate, or require amendment of a local rule.

New subdivision (d) provides much needed consolidation and uniformity for publication and effective dates of local rules. It also eliminates the requirement to submit certified copies of local rules to the Rules Committees,

² The definition of “local rule” in subdivision (d)(1) does not extend to procedural rules adopted by the appellate courts. While much of the practice and procedure in the Commonwealth Court’s original jurisdiction would be governed by the Rules of Civil Procedure, see Pa.R.A.P. 1517, there are some proceedings subject to the Commonwealth Court’s exclusive procedural rules, see, e.g., Pa.R.A.P. 3771–3784.

This definition also does not include rules of civil procedure adopted by the Philadelphia Municipal Court. Pa.R.C.P. No. 239(a) defines the term “local rule” to include local rules “which are adopted and enforced by a court of common pleas to govern civil practice and procedure.” Unlike Pa.R.Crim.P. 105, the Philadelphia Municipal Court was specifically excluded as a court that is subject to Pa.R.C.P. No. 239. See also the definition of “Court” in Phila. M.C.R.Civ. No. 101.

AOPC, and the Legislative Reference Bureau pursuant to Pa.R.C.P. No. 239, Pa.R.Crim.P. 105, Pa.R.J.C.P. 121, Pa.R.J.C.P. 1121, and Pa.O.C. Rule 1.5. Under new subdivision (d), the Rules Committees, AOPC, and the Legislative Reference Bureau will not need a certified copy of a local rule because they will be reviewing the local rule prior to publication and issuing a written notification that the local rule is approved. As a result, the requirement to submit certified copies has been eliminated from the proposal.

Procedural Rules

With the consolidation of local rulemaking procedure into Pa.R.J.A. No. 103, the Procedural Rules have been amended to eliminate the specific requirements for local rulemaking within each body of rules. Each of the Procedural Rules provides a cross-reference to Pa.R.J.A. No. 103 indicating where local rulemaking procedure can be found.³ As noted above, this proposal also includes a recommendation for new Pa.R.C.P.M.D.J. No. 216, which provides the same cross-reference to Pa.R.J.A. No. 103. This new rule was added to the proposal to provide consistency across all bodies of rules.

[Pa.B. Doc. No. 16-1204. Filed for public inspection July 15, 2016, 9:00 a.m.]

Title 25—LOCAL COURT RULES

BEDFORD COUNTY

Local Rule 202.1; AD No. 1-2016

Order of Court

And now, this 21st day of April, 2016, the District Attorney of Bedford County, William J. Higgins, Jr., having filed a certification pursuant to Rule 202 of the Pennsylvania Rules of Criminal Procedure, the Court hereby adopts the following new Local Rule:

Rule 202.1. Approval of Search Warrant Applications by the Attorney for the Commonwealth.

Search Warrants shall not hereafter be accepted by any judicial officer unless the Search Warrant Application has the approval of an Attorney for the Commonwealth prior to filing. Approval by the Attorney for the Commonwealth may be provided by electronic communication with a copy attached to the warrant application. Said Local Rule shall be effective in the 57th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Unified Judicial System of Pennsylvania Web Portal.

By the Court

THOMAS S. LING,
President Judge

[Pa.B. Doc. No. 16-1205. Filed for public inspection July 15, 2016, 9:00 a.m.]

BEDFORD COUNTY

Local Rule 507.1; AD No. 2-2016

Order of Court

And now, this 21st day of April, 2016, the District Attorney of Bedford County, William J. Higgins, Jr., having filed a certification pursuant to Rule 507 of the Pennsylvania Rules of Criminal Procedure, the Court hereby adopts the following new Local Rule:

Rule 507.1. Approval of Police Complaints and Arrest Warrant Affidavits by the Attorney for the Commonwealth.

Criminal complaints and arrest warrant affidavits, by police officers, as defined in the Rules of Criminal Procedure, charging any of the following:

- 1) Any violation of 18 Pa.C.S.A. Chapter 25 (relating to Criminal Homicide);
- 2) Any violation of 18 Pa.C.S.A. 2702 (relating to Aggravated Assault);
- 3) Any violation of 18 Pa.C.S.A. Chapter 29 (relating to Kidnapping);
- 4) Any violation of 18 Pa.C.S.A. Chapter 31 (relating to Sexual Offenses);
- 5) Any violation of 18 Pa.C.S.A. 3301 (relating to Arson);
- 6) Any violation of 18 Pa.C.S.A. Chapter 37 (relating to Robbery);
- 7) Any violation of 35 Pa.C.S.A. § 780-113, et. al., (relating to prohibited acts under the Controlled Substance Act) that is graded as a Felony;
- 8) Any violation of 75 Pa.C.S.A. § 3732 (relating to Homicide by Vehicle), § 3735 (relating Homicide by Vehicle while DUI), § 3731.1 (relating to Aggravated Assault by vehicle while DUI).
- 9) Any charge of an Inchoate crime, under 18 Pa.C.S.A. Chapter 9 (relating to Criminal Attempt, Criminal Solicitation, and Criminal Conspiracy), where the underlying criminal offense is one those set forth above;
- 10) Any violation of Title 18 (Crimes Code) or Title 75 (Vehicle Code) that results in the death of any person, including summary offenses.

shall not hereafter be accepted by any judicial officer unless the complaint and affidavit has the approval of an Attorney for the Commonwealth prior to filing. Approval by the Attorney for the Commonwealth may be provided by electronic communication with a copy attached to the complaint or arrest warrant affidavit. Said Local Rule shall be effective in the 57th Judicial District of the Commonwealth of Pennsylvania thirty (30) days after publication in the *Pennsylvania Bulletin* and upon publication on the Unified Judicial System of Pennsylvania Web Portal.

By the Court

THOMAS S. LING,
President Judge

[Pa.B. Doc. No. 16-1206. Filed for public inspection July 15, 2016, 9:00 a.m.]

³ Pa.O.C. Rule 1.5 also retains a provision that local rules applicable to practice in the Civil or Trial Division of the Court of Common Pleas are inapplicable to practice in the Orphans' Court Division unless so directed by the statewide rules or specifically by local orphans' court rules.

SUPREME COURT

**Order for Establishment of Local Rules Website;
No. 464 Judicial Administration Doc.**

Order

Per Curiam

And Now, this 28th day of June, 2016, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that each judicial district shall no later than August 1, 2016 establish and transmit to the Rules Committees (rulescommittees@pacourts.us) the address of a free and publically accessible website of the court or county in which the court has jurisdiction where all local rules are to be published.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

[Pa.B. Doc. No. 16-1207. Filed for public inspection July 15, 2016, 9:00 a.m.]

Reaccreditation of the Pennsylvania Bar Association Workers' Compensation Law Section; No. 141 Disciplinary Rules Doc.

Order

Per Curiam:

And Now, this 1st day of July, 2016, upon consideration of the recommendation of the Pennsylvania Bar Association Review and Certifying Board, the Pennsylvania Bar Association Workers' Compensation Law Section is hereby reaccredited as a certifying organization in the area of Workers' Compensation Law for a period of five years commencing January 12, 2017.

[Pa.B. Doc. No. 16-1208. Filed for public inspection July 15, 2016, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

STATE BOARD OF EDUCATION

[22 PA. CODE CHS. 12, 14, 16 AND 49]

Strategic Planning

The State Board of Education (Board), under the authority of sections 2603-B and 2604-B of the Public School Code of 1949 (code) (24 P.S. §§ 26-2603-B and 26-2604-B), amends §§ 12.41, 14.104, 16.4, 49.16 and 49.17 to read as set forth in Annex A.

Summary

The final-form rulemaking published at 44 Pa.B. 1131 (March 1, 2014) made substantive changes to Chapter 4 (relating to academic standards and assessment). Among several amendments to Chapter 4, that final-form rulemaking deleted the requirement in § 4.13 (relating to strategic plans) that school districts, area vocational-technical schools and charter schools submit strategic plans every 6 years.

Section 4.13 now provides for transitions from strategic plans to different types of specific plans required under other existing regulations. These other plans are in Chapters 12, 14, 16 and 49. Provisions of these four chapters retained language that referenced the strategic planning requirements that are no longer part of Chapter 4. Therefore, technical corrections to these chapters are necessary for consistency with Chapter 4.

Amendments

The amendments in this final-omitted rulemaking update references to § 4.13 in five sections to match the requirements in the corresponding subsections of § 4.13. Changes encompass deletions of references to Chapter 4 that are now inaccurate given the 2014 amendments. The outdated text is replaced with corrected references.

Section 12.41(a) (relating to student services) references the time frames and procedures described in § 4.13(c). Section 14.104(a) (relating to special education plans) refers to § 4.13(d). Section 16.4 (relating to gifted education plans) references § 4.13(e). Sections 49.16 and 49.17 (relating to approval of induction plans; and continuing professional education) reference to § 4.13(b) and (a), respectively.

Affected Parties

Since the amendments correct inconsistencies between existing regulations and do not make substantive changes, this final-omitted rulemaking does not have impact on potentially affected parties.

Cost and Paperwork Estimates

This final-omitted rulemaking does not carry a new cost for the regulated community. The amendments do not alter current paperwork or reporting requirements nor do they create new paperwork or reporting requirements.

Effective Date

This final-omitted rulemaking is effective upon publication in the *Pennsylvania Bulletin*.

Sunset Date

The Board will review the effectiveness of these provisions every 4 years in accordance with its policy and practice respecting all of its regulations. Therefore, a sunset date is not necessary.

Contact Person

Interested persons may contact Karen Molchanow, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-3787, ra-stateboardofed@pa.gov.

Final-Omitted Rulemaking

The Board promulgates these amendments as a final-omitted rulemaking because they meet the criteria in section 204(3) of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. § 1204(3)), known as the Commonwealth Documents Law (CDL). The amendments conform §§ 12.41, 14.104, 16.4, 49.16 and 49.17 to § 4.13. The substantive change occurred with amendments to Chapter 4 in 2014. This final-omitted rulemaking does not contain substantive changes and includes only minor technical revisions that alleviate possible confusion and align Chapters 12, 14, 16 and 49 with Chapter 4. Therefore, publication of a proposed rulemaking would be, in these circumstances, impracticable, unnecessary and contrary to the public interest.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P.S. § 745.5a(c)), on May 26, 2016, the Board submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Education and the Senate Committee on Education. On the same date, the regulations were submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on June 29, 2016, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 30, 2016, and approved the final-omitted rulemaking.

Findings

The Board finds that:

(1) Notice of proposed rulemaking is impracticable, unnecessary and contrary to the public interest under section 204(3) of the CDL and the regulation thereunder, 1 Pa. Code § 7.4(3) (relating to omission of notice of proposed rulemaking).

(2) The amendments to the regulations in the manner provided in this final-omitted rulemaking is necessary and appropriate for administration of the code.

Order

Acting under the authority of the code, the Board orders that:

(a) The regulations of the Board, 22 Pa. Code Chapters 12, 14, 16 and 49, are amended by amending §§ 12.41, 14.104, 16.4, 49.16 and 49.17 to read as set forth in Annex A, with ellipses referring to the existing text of the regulation.

(b) The Executive Director of the Board shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

(c) The Executive Director of the Board shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order is effective upon publication in the *Pennsylvania Bulletin*.

KAREN MOLCHANOW,
Executive Director

(*Editor's Note:* See 46 Pa.B. 3894 (July 16, 2016) for IIRC's approval order.)

Fiscal Note: 6-333. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subpart A. MISCELLANEOUS PROVISIONS

CHAPTER 12. STUDENTS AND STUDENT SERVICES

SERVICES TO STUDENTS

§ 12.41. Student services.

(a) Each school entity shall prepare a written plan for the implementation of a comprehensive and integrated K-12 program of the student services based on the needs of its students. The plan shall be prepared and revised in accordance with the time frames and procedures described in § 4.13(c) (relating to strategic plans). Services offered by community agencies in public schools shall be coordinated by and under the general direction of the school entity. The plan must include policies and procedures for emergency care and administration of medication and treatment under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144) and guidelines issued by the Department of Health. The Department of Health guidelines are available from the Division of School Health, Department of Health, P.O. Box 90, Harrisburg, Pennsylvania 17108. A school district that operates a prekindergarten program shall address its prekindergarten program in the plan developed under § 4.13(c). A school entity shall make its student services plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board.

* * * * *

CHAPTER 14. SPECIAL EDUCATION SERVICES AND PROGRAMS

GENERAL PROVISIONS

§ 14.104. Special education plans.

(a) Each school district shall develop and implement a special education plan. The special education plan shall be submitted to the Department for approval every 3 years in accordance with § 4.13(d) (relating to strategic plans). The Secretary will prescribe the format, content and time for submission of the special education plan. A school district shall make its special education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school district's board of directors and submission of the plan to the Department.

* * * * *

CHAPTER 16. SPECIAL EDUCATION FOR GIFTED STUDENTS

GENERAL PROVISIONS

§ 16.4. Gifted education plans.

(a) In accordance with § 4.13(e) (relating to strategic plans), each school district shall develop and implement a gifted education plan every 6 years. A school district shall make its gifted education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school district's board of directors.

(b) Each school district shall address the following in its gifted education plan:

(1) The process for identifying children who are gifted and in need of specially designed instruction.

(2) The gifted special education programs offered.

(c) Each school district shall provide, as the Department may require, reports of students, personnel and program elements, including the costs of the elements, which are relevant to the delivery of gifted education.

Subpart C. HIGHER EDUCATION

CHAPTER 49. CERTIFICATION OF PROFESSIONAL PERSONNEL

Subchapter A. GENERAL PROVISIONS

THE PROGRAM

§ 49.16. Approval of induction plans.

(a) Each school entity shall submit to the Department for approval a plan for the induction experience for first-year teachers (including teachers in prekindergarten programs, when offered), long-term substitutes who are hired for a position for 45 days or more and educational specialists. The induction plan shall be submitted every 6 years as required under § 4.13(b) (relating to strategic plans). The induction plan shall be prepared by teacher or educational specialist representatives, or both, chosen by teachers and educational specialists and administrative representatives chosen by the administrative personnel of the school entity. Newly employed professional personnel with prior school teaching experience may be required by the school entity to participate in an induction program. A school entity shall make its induction plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Department.

(b) The Department will establish guidelines and will review for approval induction plans submitted by school entities.

(c) The induction plan shall reflect a mentor relationship between the first-year teacher, long-term substitute or educational specialist, teacher educator and the induction team.

(d) Criteria for approval of the induction plans will be established by the Secretary in consultation with the Board and must include induction activities that focus on teaching diverse learners in inclusive settings.

§ 49.17. Continuing professional education.

(a) As required under § 4.13(a) (relating to strategic plans), a school entity shall submit to the Secretary for approval a 3-year professional education plan every 3 years in accordance with the professional education guidelines established by the Secretary and section 1205.1 of the act (24 P.S. § 12-1205.1). A school entity shall make its professional education plan available for public inspection and comment for a minimum of 28 days prior to approval of the plan by the school entity's governing board and submission of the plan to the Secretary.

* * * * *

[Pa.B. Doc. No. 16-1209. Filed for public inspection July 15, 2016, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING AND SECURITIES

Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P.L. 847, No. 356), known as the Banking Code of 1965; the act of May 15, 1933 (P.L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P.L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 5, 2016.

Under section 503.E of the Department of Banking and Securities Code (71 P.S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-29-2016	From: First National Community Bank Dunmore Lackawanna County To: FNCB Bank Dunmore Lackawanna County	Effective

Conversion from a National banking association to a Pennsylvania State-chartered bank. FNCB Bank is a wholly-owned subsidiary of First National Community Bancorp, Inc. (# 5028594), Dunmore, an existing bank holding company.

Branch offices operated by FNCB Bank:

1919 Memorial Highway Shavertown Luzerne County	269 East Grove Street Clarks Green Lackawanna County
921 Drinker Turnpike Moscow Lackawanna County	934 Main Street Dickson City Lackawanna County
1219 Wheeler Avenue Dunmore Lackawanna County	1625 Wyoming Avenue Exeter Luzerne County
734 San Souci Parkway Hanover Township Luzerne County	340 West Broad Street Hazleton Luzerne County
1001 Main Street Honesdale Wayne County	1127 Texas Highway Honesdale Wayne County
1743 North Keyser Avenue Scranton Lackawanna County	754 Wyoming Avenue Kingston Luzerne County
194 South Market Street Nanticoke Luzerne County	1700 North Township Pittston Luzerne County
27 North River Street Plains Luzerne County	3 Old Boston Road Pittston Luzerne County
419-421 Spruce Street Scranton Lackawanna County	1 North Main Street Wilkes-Barre Luzerne County

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-5-2016	Stonebridge Bank West Chester Chester County Application by Gordon Ray Denlinger, Anthony H. Hahn and Norman G. Hahn to acquire 100% of the common stock of Stonebridge Bank, West Chester.	Withdrawn

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
7-1-2016	Univest Bank and Trust Co. Souderton Montgomery County Application for approval to merge Fox Chase Bank, Hatboro, with and into Univest Bank and Trust Co., Souderton. All branch offices of Fox Chase Bank will become branch offices of Univest Bank and Trust Co. including the former main office of Fox Chase Bank located at: 4390 Davisville Road Hatboro Montgomery County	Effective

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-27-2016	First Commonwealth Bank Indiana Indiana County	601 Hancock Avenue Vandergrift Westmoreland County	Opened
7-5-2016	Peoples Security Bank and Trust Company Scranton Lackawanna County	2151 Emrick Boulevard Bethlehem Northampton County	Filed
7-5-2016	Peoples Security Bank & Trust Company Scranton Lackawanna County	610 Freedom Bus. Court Drive King of Prussia Montgomery County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-24-2016	First Commonwealth Bank Indiana Indiana County	152 Grant Avenue Vandergrift Westmoreland County	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
6-27-2016	Asian Bank Philadelphia Philadelphia County Amendment to Article II of the institution's Articles of Incorporation provides for a change in the Bank's principal place of business from 913 Arch Street, Philadelphia, Philadelphia County to 1023 Race Street, Philadelphia, Philadelphia County.	Filed
6-27-2016	Clearfield Bank and Trust Company Clearfield Clearfield County Amendment to Article I of the institution's Articles of Incorporation provides for a change in the Bank's corporate title from "Clearfield Bank and Trust Company" to "CBT Bank."	Filed

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-30-2016	TruMark Financial Credit Union Trevose Bucks County	Effective

Application for approval to merge Keystone Federal Credit Union, West Chester, with and into TruMark Financial Credit Union, Trevose.

The Department's web site at www.dobs.pa.gov includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,
Secretary

[Pa.B. Doc. No. 16-1210. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, July 27, 2016, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Questions concerning this meeting or agenda items can

be directed to Gretchen Leslie at (717) 772-9084. Persons who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Katie Woodbury directly at (717) 783-5878 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

CINDY ADAMS DUNN,
Secretary

[Pa.B. Doc. No. 16-1211. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

I. NPDES Renewal Applications

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0026425 (Sewage)	Lincoln Road STP 12245 Frankstown Road Pittsburgh, PA 15235-3405	Allegheny County Penn Hills Township	Shades Run (18-A)	Yes
PA0253171 (Sewage)	Mt Pleasant Township STP PO Box 137, 208 Poker Road Mammoth, PA 15664	Westmoreland County Mount Pleasant Township	Sewickley Creek (19-D)	No

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0061697 (Industrial)	John B Rich Memorial Power Station (Ri-Corp Development Inc.) 81 Eleanor Avenue Gilbertown Power Co Frackville, PA 17931	Schuylkill County West Mahanoy Township	Mahanoy Creek (6-B)	No

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PAS804806 (Storm Water)	Davidson Brothers, Inc. 450 Runville Road Bellefonte, PA 16823-4715	Centre County Boggs Township	Wallace Run (9-C)	Yes

II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

PA0255106, Sewage, SIC Code 6035, **First Federal Savings & Loan Association**, 25 East High Street, Waynesburg, PA 15370. Facility Name: 650 Moore Road SRSTP. This proposed facility is located in South Franklin Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream, Unnamed Tributary to Chartiers Creek, is located in State Water Plan watershed 20-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

The EPA Waiver is in effect.

PA0026506 A-1, Sewage, **West Mifflin Sanitary Sewer Municipal Authority**, 1302 Lower Bull Run Road, West Mifflin, PA 15122-2902. Facility Name: Thompson Run STP. This existing facility is located in West Mifflin Borough, **Allegheny County**.

Description of Existing Activity: The application is for an Amendment of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream, Unnamed Tributary to Thompson Run, is located in State Water Plan watershed 19-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Temporary Outfall 005 are based on a design flow of 1.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	.01	XXX	.03
CBOD ₅	834	1,251	XXX	25	37.5	50
BOD ₅						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	1,001	1,502	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	67	100	XXX	2.0	3.0	4.0
Nov 1 - Apr 30	100	150	XXX	3.0	4.5	6.0

The EPA Waiver is not in effect.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970.

PA0052949, Industrial, SIC Code 4941, **Aqua Pennsylvania Inc.**, 762 W Lancaster Avenue, Bryn Mawr, PA 19010. Facility Name: Milford Well Station WFP. This existing facility is located in Upper Uwchlan Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream, an Unnamed Tributary to Marsh Creek, is located in State Water Plan watershed 3-H and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.003 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	0.75	1.5	XXX	30	60	75
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Aluminum, Total	0.08	0.16	XXX	3.3	6.6	8.3
Iron, Total	0.05	0.10	XXX	2.0	4.0	5
Manganese, Total	0.025	0.05	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	Report	XXX	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	XXX	XXX
Chloroform	XXX	XXX	XXX	Report	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.144 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0

In addition, the permit contains the following major special conditions:

- A. Acquire Necessary Property Rights
- B. Proper Sludge Disposal
- C. WQM Permit Requirement
- D. BAT/ELG Reopener
- E. Chlorine Optimization
- F. Small Stream Discharge
- G. Chemical Additives

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

PA0057916, Industrial, SIC Code 7389, **Schlumberger Tech Corp**, 100 Gillingham Lane, Sugarland, TX 77478. Facility Name: North Penn Area 12 Superfund Site. This existing facility is located in Worcester Township, **Montgomery County**.

Description of Existing Activity: Renewal of an NPDES permit to discharge treated groundwater from an area known as the North Penn Area 12 Superfund Site, located at 1547 North Trooper Road.

The receiving stream(s), Unnamed Tributary of Stony Creek, is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 50,000-gpd.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instantaneous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (GPD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Trichloroethylene	XXX	XXX	0.005 Avg Mo	XXX	XXX	0.013

In addition, the permit contains the following major special conditions:

- Acquire Necessary Property Rights
- Proper Sludge Disposal
- BAT/BCT Reopener
- Dry Stream Discharge

- EPA Test Methods
- Stripping Tower Wastewaters
- Groundwater Monitoring and Reporting

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PA0058947, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc. D/B/A JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006-1111. Facility Name: JDM Materials Grant Ave Plant. This existing facility is located in Philadelphia City, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Stormwater.

The receiving stream(s), Wooden Bridge Run, is located in State Water Plan watershed 3-J and is classified for Migratory Fishes and Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	Daily Max XXX	Report

In addition, the permit contains the following major special conditions:

- Remedial Measures
- Necessary Property Rights
- Small Stream Discharge
- BAT/ELG Reopener Clause
- Sludge Disposal
- Change of ownership
- TMDL/WLA Analysis
- IMAX limits on DMR
- Stormwater Discharge
- Stormwater BMP
- Additional Requirements for Concrete Batch Facilities

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PA0058955, Storm Water, SIC Code 3273, **Eureka Stone Quarry Inc. D/B/A JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006-1111. Facility Name: JDM Materials Co. Bartram Batch Plant. This existing facility is located in Philadelphia City, **Philadelphia County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Stormwater.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	50	100	100
Oil and Grease	XXX	XXX	XXX	Report	XXX	Report

In addition, the permit contains the following major special conditions:

- Stormwater Requirements
- Other Requirements

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PAS800001, Storm Water, SIC Code 4213, **FedEx Freight Inc.**, 2200 Forward Drive Dc:2219, Harrison, AR 72601. Facility Name: FedEx Freight Inc. Chester Springs Facility. This existing facility is located in Uwchlan Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of Industrial Stormwater.

The receiving stream(s), Unnamed Tributary to Marsh Creek, is located in State Water Plan watershed 3-H and is classified for Mi and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on stormwater.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instant. Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Total	XXX	XXX	XXX	XXX	XXX	7.0

In addition, the permit contains the following major special conditions:

- Stormwater Discharge Requirements
- Remedial Measures
- Change of Ownership
- TMDL/WLA Analysis

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

PA0012416, Industrial, SIC Code 4941, **Pennsylvania American Water**, 800 West Hershey Park Drive, Hershey, PA 17033. Facility Name: Rock Run WFP. This existing facility is located in Coatesville City, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

This revised draft permit changes the “effluent limits” for Ammonia-Nitrogen (NH₃-N), Total Phosphorus (TP), and Total Nitrogen (TN) to “effluent net limits” in the draft NPDES permit issued on April 5, 2016. This revision corrects the error in Pennsylvania’s Alternative Reduction Scenario for Christina River Basin Low-Flow TMDL dated June 27, 2012 and assigns the original TMDL net Waste Load Allocations (WLA) for NH₃-N, TP, and TN for Rock Run Water Filtration Plant. This change to PA’s alternative reduction scenario will not increase the WLA for the West Branch Brandywine Creek.

The receiving stream(s), Rock Run Reservoir, is located in State Water Plan watershed 3-H and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 MGD and are effective from 25th month of permit effective date to expiration of the permit.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Nitrogen Effluent Net	0.280	XXX	XXX	0.24	Report	XXX
Ammonia-Nitrogen Effluent Net	0.117	XXX	XXX	0.10	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Instanta- neous Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	11.7	XXX	XXX	10.0	Report	XXX

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Suspended Solids	23.4	XXX	XXX	20	40	50
Total Dissolved Solids	XXX	XXX	XXX	1,000.0	2,000.0	2,500
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	2	XXX	XXX
				Geo Mean		
Total Nitrogen						
Influent	Report	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen						
Influent	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus						
Influent	Report	XXX	XXX	Report	Report	XXX
Total Phosphorus						
Effluent Net	0.117	XXX	XXX	0.10	Report	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
Aluminum, Total	0.93	XXX	XXX	0.8	1.6	2.1
Copper, Total	XXX	XXX	XXX	Report	Report	XXX
Iron, Total	2.3	XXX	XXX	2.0	4.0	5
Manganese, Total	1.2	XXX	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	XXX	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	XXX	Report	XXX
Chloroform	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 001 are based on a design flow of 0.14 MGD and are effective from permit effective date to the end of the second year.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Nitrogen						
Effluent Net	Report	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen						
Effluent Net	Report	XXX	XXX	Report	Report	XXX

In addition, the permit contains the following major special conditions:

- Change in Ownership
- TRC Minimization
- Remedial Measures for satisfactory effluent.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

PA0244236, Sewage, SIC Code 4952, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940. Facility Name: The Enclave WWTP. This existing facility is located in Upper Makefield Township, **Bucks County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Houghs Creek, is located in State Water Plan watershed 2-E and is classified for aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.055 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
			Inst Min			
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	10	XXX	20
Biochemical Oxygen Demand (BOD ₅)						
Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids						
Influent	XXX	XXX	XXX	Report	XXX	Report
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Average Weekly	Minimum	Average Monthly	Maximum	
Total Dissolved Solids	XXX	XXX	XXX	1,000	XXX	2,000
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	50	XXX	1,000
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean 50	XXX	1,000
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	10	XXX	20
Ammonia-Nitrogen						
Nov 1 - Apr 30	XXX	XXX	XXX	3.0	XXX	6
May 1 - Oct 31	XXX	XXX	XXX	1.5	XXX	3
Total Phosphorus	XXX	XXX	XXX	0.1	XXX	0.2
UV light intensity (mW/cm ²)	XXX	XXX	Report	XXX	XXX	XXX

In addition, the permit contains the following major special conditions:

- Notification of responsible operator.
- Change of Ownership
- Collected screenings, solids, and sludge disposal

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.

PA0275841, Industrial Stormwater, SIC Code 3561, **Curtiss Wright EPD**, 1185 Feather Way, Bethlehem, PA 18015. Facility Name: Curtiss Wright EPD. This existing facility is located in Bethlehem City, **Northampton County**.

Description of Proposed Activity: The application is for a new NPDES permit for an existing discharge of uncontaminated stormwater and non-process pump test water.

The receiving stream, Saucon Creek, is located in State Water Plan watershed 02C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of n/a MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0027 MGD.

Parameters	Mass Units (lbs/day)			Concentrations (mg/L)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
Duration of Discharge (hours)	Report	XXX	XXX	XXX	XXX	XXX
Total Volume Discharged (gal)	Report	XXX	XXX	XXX	XXX	XXX
	Total Mo					
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	0.05
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Iron, Dissolved	XXX	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- Requirements Applicable to Stormwater Outfalls

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472.

The EPA Waiver is in effect.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

PA0033111, Sewage, SIC Code 7033, **Oak Creek Campgrounds Inc.**, 400 E Maple Grove Road, Narvon, PA 17555. Facility Name: Oak Creek Campground. This existing facility is located in Brecknock Township, **Lancaster County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Rock Run, is located in State Water Plan watershed 7-J and is classified for Migratory Fishes and High Quality Waters—Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00423 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Total Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report Avg	Report	XXX	XXX	XXX	XXX
pH (S.U.)	Mo XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.6
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (CFU/100 ml)						
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Effluent Limitations

<i>Parameter</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly Average</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- Chesapeake Bay nutrients requirements
- Solids management
- Optimization of chlorine usage

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

PA0080080, Sewage, SIC Code 6515, **Conewago Valley MHP Inc.**, 800 York Road, Dover, PA 17315-1605. Facility Name: Conewago Valley MHP. This existing facility is located in Newberry Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.046 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>		<i>Minimum</i>	<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.5
Carbonaceous Biochemical Oxygen Demand (CBOD ₅)	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	Report Total Monthly	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	XXX	Report Total Monthly	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	XXX	Report Total Monthly	XXX	Report	XXX	XXX
Total Nitrogen	XXX	Report Total Monthly	XXX	Report	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

PA0261581, Industrial, SIC Code 4941, **Red Lion Municipal Authority York County**, PO Box 190, Red Lion, PA 17356. Facility Name: Cabin Creek Water Treatment Plant. This existing facility is located in Windsor Township, **York County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Cabin Creek, is located in State Water Plan watershed 7-I and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on an average flow of 0.15 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.28	XXX	0.75
Total Suspended Solids	Report	Report	XXX	30.0	60.0	75
Total Dissolved Solids	Report	Report	XXX	500.0	1,000.0	1,250
Aluminum, Total	1.07	1.68	XXX	0.86	1.34	2.15
Copper, Total	0.02	0.05	XXX	0.02	0.04	0.05
Iron, Total	2.50	3.75	XXX	2.0	3.0	5
Manganese, Total	1.25	1.88	XXX	1.0	1.5	2.5
Zinc, Total	0.16	0.26	XXX	0.13	0.21	0.32

The proposed effluent limits for Outfall 002 are based on a design flow of N/A MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Total Residual Chlorine (TRC)	XXX	XXX	XXX	XXX	XXX	Report

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.3636.

PA0008419, Industrial, SIC Code 2833, 2834, **Cherokee Pharmaceuticals LLC**, PO Box 367, Riverside, PA 17868-0367. Facility Name: Cherokee Pharmaceuticals LLC. This existing facility is located in Riverside Borough, **Northumberland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Industrial Waste.

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 5-E and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 5.06 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	15.0	XXX	30.0
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Dissolved	XXX	XXX	XXX	XXX	XXX	7.0
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX
1,4-Dioxane	Report	Report	XXX	Report	Report	XXX
Bromide	Report	Report	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Iron, Total	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 1.45 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Biochemical Oxygen Demand (BOD ₅)	2254	Report	XXX	Report	Report	715
Biochemical Oxygen Demand (BOD ₅)—Industrial Influent	Report	Report	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)— Industrial Influent	Report	Report	XXX	Report	XXX	XXX
Chemical Oxygen Demand (COD)	7,328	Report	XXX	856.0	1,675.0	2,140
Total Suspended Solids	3,832	Report	XXX	Report	Report	1,220
Ammonia-Nitrogen	355	1,015	XXX	29	84	105
Cyanide, Total	XXX	Report	XXX	XXX	Report	XXX
4-Methyl-2-pentanone	XXX	Report	XXX	XXX	Report	XXX
Isopropanol	19.34	47.16	XXX	1.60	3.90	4.87
Phenol	0.24	0.60	XXX	0.02	0.05	0.06
Acetone	2.41	6.04	XXX	0.20	0.50	0.62
Acetonitrile	123.34	302.30	XXX	10.20	25.00	31.25
Acrylonitrile	0.14	0.24	XXX	0.01	0.02	0.03
Chlorobenzene	XXX	Report	XXX	XXX	Report	XXX
Dichlorobenzene, Total	XXX	Report	XXX	XXX	Report	XXX
Benzene	0.24	0.60	XXX	0.02	0.05	0.06
n-Butyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62
1,2-Dichloroethane	1.20	4.83	XXX	0.10	0.40	0.5
Chloroform	1.57	2.41	XXX	0.13	0.20	0.32
Diethylamine	XXX	Report	XXX	XXX	Report	XXX
Isopropyl Ether	XXX	Report	XXX	XXX	Report	XXX
Dimethyl Sulfoxide	453.4	1,106.5	XXX	37.5	91.5	114.37
Ethanol	49.58	120.93	XXX	4.10	10.00	12.5
Ethyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62
Heptane	0.24	0.60	XXX	0.02	0.05	0.06
Hexane	0.24	0.36	XXX	0.02	0.03	0.05
Methylene Chloride	3.62	10.88	XXX	0.30	0.90	1.12
Tetrahydrofuran	31.44	101.50	XXX	2.60	8.4	10.5
Toluene	0.24	0.72	XXX	0.02	0.06	0.07

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Triethylamine	1,233.4	3,020.2	XXX	102.0	250	312.5
Xylenes, Total	XXX	Report	XXX	XXX	Report	XXX
Vinyl Chloride	XXX	Report	XXX	XXX	Report	XXX
Total Methanol	49.58	120.90	XXX	4.10	10	12.5
n-amyl Acetate	XXX	Report	XXX	XXX	Report	XXX
Amyl Alcohol	XXX	Report	XXX	XXX	Report	XXX
Isobutyraldehyde	XXX	Report	XXX	XXX	Report	XXX
Methyl Cellosolve	XXX	Report	XXX	XXX	Report	XXX
Methyl Formate	6.04	15.72	XXX	0.50	1.30	1.62
Isopropyl Acetate	6.04	15.72	XXX	0.50	1.30	1.62

The proposed effluent limits for Outfall 201 are based on a design flow of 0.0432 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Average</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average</i>	<i>Daily</i>	<i>Instant. Maximum</i>
	<i>Monthly</i>	<i>Maximum</i>		<i>Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	XXX	XXX
Aluminum, Total	XXX	XXX	XXX	4.0	XXX	XXX
Iron, Total	XXX	XXX	XXX	2.0	XXX	XXX
Manganese, Total	XXX	XXX	XXX	1.0	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Monthly</i>	<i>Monthly</i>	<i>Instant. Maximum</i>	
				<i>Average</i>		
Ammonia—N	Report	Report	XXX	Report	XXX	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX	XXX
Net Total Nitrogen*	Report	64,884	XXX	XXX	XXX	XXX
Net Total Phosphorus*	Report	11,748	XXX	XXX	XXX	XXX

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

In addition, the permit contains the following major special conditions:

- Chesapeake Bay
- Stormwater Requirements
- Whole Effluent Toxicity
- Chemical Additives

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is not in effect.

Southwest Regional Office: Regional Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.

PA0254851, Industrial, SIC Code 4941, **Ford City Borough**, 1000 Fourth Avenue, Ford City, PA 16226. Facility Name: Ford City Municipal WTP. This proposed facility is located in Ford City Borough, **Armstrong County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated industrial waste.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0166 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Dissolved Solids	XXX	XXX	XXX	Report	XXX	Report
Aluminum, Total	XXX	XXX	XXX	4.0	XXX	8.0
Iron, Total	XXX	XXX	XXX	2.0	XXX	4.0
Manganese, Total	XXX	XXX	XXX	1.0	XXX	2.0

In addition, the permit contains the following major special conditions:

- Prohibition of discharging reverse osmosis concentrate.
- Required to submit Water Quality Management Part II permit application.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

PA0264482, Sewage, SIC Code 4952, 8800, **Giovanni Morganti**, 9663 Tarr Road, North East, PA 16428. Facility Name: Giovanni Morganti SRSTP. This proposed facility is located in Greenfield Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP Sewage.

The receiving stream is an unnamed tributary to West Branch French Creek, located in State Water Plan watershed 16-A and classified for Warm Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0	XXX
Total Residual Chlorine (TRC)	XXX	XXX	XXX	Report	XXX	XXX
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

PA0264458, Sewage, SIC Code 4952, 8800, **Bill Miller**, 2879 Ninevah Road, Knox, PA 16232. Facility Name: Bill Miller SRSTP. This proposed facility is located in Ashland Township, **Clarion County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated SRSTP sewage.

The receiving stream is an unnamed tributary of Canoe Creek, located in State Water Plan watershed 17-B and classified for High Quality Waters—Cold Water Fish, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 MGD.

<i>Parameters</i>	<i>Mass Units (lbs/day)</i>			<i>Concentrations (mg/L)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9
Biochemical Oxygen Demand (BOD ₅)	XXX	XXX	XXX	10.0	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10.0	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

III. WQM Industrial Waste and Sewerage Applications under the Clean Streams Law (35 P.S. §§ 691.1—691.1001)

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

WQM Permit No. 0206401 A-2, Sewage, **Emsworth Borough Allegheny County**, 171 Center Avenue, Pittsburgh, PA 15202.

This existing facility is located in Emsworth Borough, **Allegheny County**.

Description of Proposed Action/Activity: Replace existing force main with new force main for Route 65 pump station.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. 1596414, Sewage, Renewal, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19390.

This proposed facility is located in London Grove Township, **Chester County**.

Description of Action/Activity: Requesting approval for continued operation of a wastewater treatment plant with golf course irrigation.

WQM Permit No. 1508411, Sewage, Renewal, **London Grove Township Municipal Authority**, 372 Rose Hill Road, Suite 300, West Grove, PA 19390.

This proposed facility is located in London Grove Township, **Chester County**.

Description of Action/Activity: Requesting approval for continued operation of a wastewater treatment plant with spray irrigation disposal.

WQM Permit No. 1506410, Sewage, Renewal, **Aqua Pennsylvania Wastewater, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Londonberry Township, **Chester County**.

Description of Action/Activity: Requesting approval for continued operation of a wastewater treatment plant with spray irrigation disposal.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. 2516409, Sewage, **Dale L. Hess**, 9625 Tileyard Road, Waterford, PA 16441.

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

WQM Permit No. 6106403 A-1, Sewage, **Oil City Venango County**, 21 Seneca Street, Oil City, PA 16301-1379.

This existing facility is located in Oil City, **Venango County**.

Description of Proposed Action/Activity: Installation of new equipment at North Side pump station and installation of screening and grit removal equipment at headworks.

WQM Permit No. 3773204 A-1, Industrial Waste, **PA American Water Co.**, 2736 Ellwood Road, New Castle, PA 16101.

This existing facility is located in Wayne Township, **Lawrence County**.

Description of Proposed Action/Activity: Add dechlorination facilities for permitted activities associated with NPDES Permit No. PA0000329.

WQM Permit No. 4216405, Sewage, **Stephen Manning**, PO Box 85, East Smethport, PA 16730.

This proposed facility is located in Keating Township, **McKean County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI015116004	University of Pennsylvania Health System 3400 Civic Center Boulevard Philadelphia, PA 19104	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Pike County Conservation District, 556 Route 402, Hawley, PA 18428.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025216004	Masthope Mountain POC 192 Karl Hope Blvd Lackawaxen, PA 18435	Pike	Lackawaxen Township	UNT to Delaware River (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI036716002	Brogue DPP, LLC 9010 Overlook Boulevard Brentwood, TN 37027	York	Chanceford Township	EV Wetlands along South Fork Otter Creek (EV-CWF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041416010	Pennsylvania State University 139J Physical Plant University Park, PA 16802	Centre	State College Borough	Thompson Run, HQ-CWF

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915, (814) 274-8411, X 4.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045316001	Big Level Wind LLC 155 Fleet Street Portsmouth, NH 03801	Potter	Harrison & Hector Townships	Baldwin Hollow, HQ-CWF Big Widger, HQ-CWF Little Widger, HQ-CWF Foy Hollow, HQ-CWF Swartz Hollow, HQ-CWF Lehman Hollow, HQ-CWF Genesee Forks, HQ-CWF Dodge Hollow, EV Moore Hollow, CWF, MF Teld Hollow, CWF, MF

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442.4315.

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056316002	Legacy Park Partners, LLC 3625 Washington Pike Bridgeville, PA 15017	Washington County	North Strabane Township	UNT to Little Chartiers Creek (HQ-WWF)

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061016001	Commercial Asphalt Supply Inc. Attn: Mr. Tim Shields PO Box 672 Valencia, PA 16059-1523	Butler	Clearfield Township	UNT Buffalo Creek HQ-TSF

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12 CAFOs

CAFO Notices of Intent Received

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.

PAG123834, CAFO, New Hope Farms, 23177 Back Road, Concord, PA 17217.

This existing facility is located in Fannett Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: 2,715.95 AEU/Swine.

The receiving stream, UNT Doylestown Stream, is in watershed 12-B, and classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

PAG123797, CAFO, Woglemuth Fairview Farm, 2914 Orchard Road, Mount Joy, PA 17552.

This existing facility is located in Mount Joy Township and West Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: 1,229.05 AEU/Swine/Poultry.

The receiving stream, UNT of Donegal Creek, is in watershed 7-G, and classified for: CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

PAG123506, CAFO, Leinbach Farm, 105 Hoover Lane, Loysville, PA 17047.

This existing facility is located in Tyrone Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: 851.73 AEU/Swine.

The receiving stream, UNT of Muddy Run, is in watershed 7-A, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 100-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

NPDES Permit No. PAG124854, CAFO, Makin Bacon LLC, 650 Beers Road, Granville Summit, PA 16926-9354.

This proposed facility is located in Granville Township, **Bradford County**.

Description of size and scope of proposed operation/activity: Construction of a swine finishing barn with concrete under-barn manure storage.

The receiving stream, Unnamed Tributary to Towanda Creek, is in watershed 4-C and classified for: Cold Water Fishes and Migratory Fishes.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

STATE CONSERVATION COMMISSION

PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons with a disability who require an auxiliary aid, service, including TDD users or other accommodations to seek additional information should contact the SCC through the Pennsylvania AT&T Relay Service at (800) 654-5984.

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Kerek Musser 2604 Hossler Road Manheim, PA 17545	Lancaster	300.6	937.03	Layers	NA	R
Greenfield Farms 6420 Route 35 East Waterford, PA 17021	Juniata & Huntington	1,397.2	472.94	Poultry & Goats	Dougherty Run—HQ Woodward Run—HQ	Renewal
Harvest Lane Farm 910 Jake Landis Road Lititz, PA 17543	Lancaster	278.9	406.01	Layers/Beef	NA	R
Philip Hoover 2862 Harvest Road Elizabethtown, PA 17022	Lancaster	51.2	259.45	Broilers/Beef	NA	R
Flintrick Farms 16 East Brubaker Valley Road Lititz, PA 17543	Lancaster	51.6	260.42	Broilers/ Horses	NA	R
Yippee Farms 880 Pinkerton Road Mt. Joy, PA 17522	Lancaster	745	3,678.29	Dairy	NA	R
Stephen & Phillip Hershey 866 Bridge Valley Road Columbia, PA 17512	Lancaster	155.2	10.89	Layers/Beef	NA	R
Clark Crest Dairy 754 Solanco Road Quarryville, PA 17566	Lancaster	218.3	874.83	Dairy	HQ	R

PUBLIC WATER SUPPLY (PWS) PERMITS

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received Under the Pennsylvania Safe Drinking Water Act

Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Application No. 3916504, Public Water Supply.

Applicant **South Whitehall Township Authority**
444 Walbert Avenue
Allentown, PA 18104

[Township or Borough] South Whitehall Township,
Lehigh County

Responsible Official Pineda Peter, Authority Manager
444 Walbert Avenue
Allentown, PA 18104

Type of Facility PWS

Consulting Engineer Steve R. Henning, PE
The Pidcock Company
2451 Parkwood Drive
Allentown, PA 18103-9608

Application Received Date 05/23/2016

Description of Action Installation of two new VFD pumps to replace existing hydro-constant pumps.

Application No. 4516504MA, Public Water Supply.

Applicant **Aqua PA, Inc.**
1 Aqua Way
White Haven, PA 18661

[Township or Borough] Tobyhanna Township,
Monroe County

Responsible Official Patrick R. Burke, PE
Aqua PA, Inc.
204 E. Sunbury Street
Shamokin, PA 17872

Type of Facility PWS

Consulting Engineer Steven Edward Riley, PE
Entech Engineering Inc.
201 Penn Street
P.O. Box 32
Reading, PA 19603

Application Received Date 06/01/2016

Description of Action Installation of tank mixing system and submersible heater.

Application No. 4016508MA, Public Water Supply.

Applicant **Aqua PA, Inc.**
1 Aqua Way
White Haven, PA 18661

[Township or Borough] Butler Township,
Luzerne County

Responsible Official Patrick R. Burke, PE
Aqua PA, Inc.
204 E. Sunbury Street
Shamokin, PA 17872

Type of Facility PWS

Consulting Engineer

Chad M. Lello, PE
Pennoni Associates, Inc.
100 N. Wilkes-Barre Blvd
Wilkes-Barre, PA 18702

Application Received Date

05/23/2016

Description of Action

Replacement of the existing storage tank with new 300,000 gallon water storage tank.

Application No. 3516507MA, Public Water Supply.

Applicant **PA American Water**
(City of Scranton)
800 W. Hershey Park Drive
Hershey, PA 17033

[Township or Borough] City of Scranton,
Lackawanna County

Responsible Official Mr. David Kaufman
Vice President-Engineering

Type of Facility PWS

Consulting Engineer Mr. Alfonso F. Rossi, PE
PA American Water Company
4 Wellington Blvd.
Wyomissing, PA 19610

Application Received Date 05/09/2016

Description of Action This project is for construction of 225,000 gallon standpipe tank

Application No. 3516508, Public Water Supply.

Applicant **Aqua PA, Inc.**
1 Aqua Way
White Haven, PA 18661

[Township or Borough] South Abington Township,
Lackawanna County

Responsible Official Patrick R. Burke, PE
Aqua PA, Inc.
204 E. Sunbury Street
Shamokin, PA 17872

Type of Facility PWS

Consulting Engineer Jonathan Morris, PE
GHD
1240 North Mountain Road
Harrisburg, PA 17112
(717) 541-0622

Application Received Date 06/23/2016

Description of Action Construction of new well station, booster pump and water storage tank to replace the existing booster pump and hydro pneumatic tanks.

Application No. 6616502, Public Water Supply.

Applicant **Silver Springs Ranch, LLC**
5148 Nuangola Road
Mountaintop, PA 18707

[Township or Borough] Monroe Township

Responsible Official Mr. Ronald Walsh, Jr., Manager
Silver Springs Ranch, LLC
5148 Nuangola Road
Mountaintop, PA 18707

Type of Facility Finished Bulk Water Hauling

Consulting Engineer Thomas Pullar, PE
Earth Res
PO Box 468
Pipersville, PA 18947

Application Received Date 6/15/2016

Description of Action Applicant proposes increasing capacity of existing previously permitted groundwater supply well to 60.9 gpm, replacing well pump, and replacing ozonation system facilities.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 0116501 MA, Minor Amendment, Public Water Supply.

Applicant **Littlestown Borough Authority**

Municipality Littlestown Borough

County **Adams**

Responsible Official Chuck Kellar, Borough Manager
10 South Queen Street
Littlestown, PA 17340-1612

Type of Facility Public Water Supply

Consulting Engineer Corbert G. Martin SIT, P.E.
Herbert, Rowland & Grubic, Inc.
369 East Park Drive
Harrisburg, PA 17111

Application Received: 6/20/2016

Description of Action Repainting of the Cemetary Street and the Maple Avenue Water Tanks.

Permit No. 0616506, Public Water Supply.

Applicant **Pennsylvania America Water Company**

Municipality Ruscombmanor Township

County **Berks**

Responsible Official David R. Kauffman
800 West Hershey Park Drive
Hershey, PA 17033

Type of Facility Public Water Supply

Consulting Engineer Craig B. Darosh, P.E.
Pennsylvania American Water
4 Wellington Boulevard
Wyomissing, PA 19610

Application Received: 6/27/2016

Description of Action Installation of a grit separator in existing Well No. 1.

Permit No. 2116507 MA, Minor Amendment, Public Water Supply.

Applicant **Regency Woods Mobile Home Park**

Municipality Middlesex Township

County **Cumberland**

Responsible Official Lynde K. Blymier, Property Manager
130 Rex Drive
Carlisle, PA 17013

Type of Facility Public Water Supply

Consulting Engineer Sean Sweeney, P.E.
Barton & Loguidice
3901 Hartzdale Drive
Camp Hill, PA 17011

Application Received: 6/28/2016

Description of Action Replacement and upgrade of greensand filter units for Iron and Manganese removal.

Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit No. 0216517, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Township or Borough] Fox Chapel

Responsible Official Mark Nicely, Manager
Fox Chapel Authority
255 Alpha Drive
Pittsburgh, PA 15238

Type of Facility Water system

Consulting Engineer Utility Service Company, Inc.
1230 Peachtree Street NE
Suite 1100
11th Floor Promenade II
Building
Atlanta, GA 30309

Application Received Date June 30, 2016

Description of Action Installation of a mixing system in the North Tank.

Permit No. 0216518, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Township or Borough] Fox Chapel

Responsible Official Mark Nicely, Manager
Fox Chapel Authority
255 Alpha Drive
Pittsburgh, PA 15238

Type of Facility Water system

Consulting Engineer Utility Service Company, Inc.
1230 Peachtree Street NE
Suite 1100
11th Floor Promenade II
Building
Atlanta, GA 30309

Application Received Date June 30, 2016

Description of Action Installation of a mixing system in the Wise Hill Tank.

Permit No. 0216519, Public Water Supply.

Applicant **Fox Chapel Authority**
255 Alpha Drive
Pittsburgh, PA 15238

[Township or Borough] Fox Chapel

Responsible Official	Mark Nicely, Manager Fox Chapel Authority 255 Alpha Drive Pittsburgh, PA 15238
Type of Facility	Water system
Consulting Engineer	Utility Service Company, Inc. 1230 Peachtree Street NE Suite 1100 11th Floor Promenade II Building Atlanta, GA 30309
Application Received Date	June 30, 2016
Description of Action	Installation of a mixing system in the Aqua Store Standpipe Tank.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Application No. 0316502GWR, Minor Amendment.

Applicant	Quality of Life Services Sugar Creek Rest 120 Lakeside Drive Worthington, PA 16262
[Township or Borough]	Sugarcreek Township
Responsible Official	Aaron Serene, Operations Manager CWM-Environmental Inc. 101 Parkview Drive Ext. Kittanning, PA 16201
Type of Facility	Water system
Consulting Engineer	Olsen Craft Associates 126 South Main Street Butler, PA 16001
Application Received Date	June 22, 2016
Description of Action	Demonstration of 4-log treatment for groundwater sources

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

WA WA 36-799B, Water Allocations. The Borough of Arkon (PWS ID No. 7360128), Lancaster County. Modification Order request for Water Allocation WA 36-799B the right to purchase from the Ephrata Area Joint Authority up to 50,000 gallons per day (gpd) and the right to purchase up to 200,000 gpd on an emergency basis. Applicant Address: Daniel Guers, Borough Manager, 117 South Seventh Street, P O Box 130, Akron, PA 17501-0130. Application Received: 3/10/2016.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Paula Cecil Residence, 30 Montgomery Avenue, West Pittston Borough, **Luzerne County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance Company, PO Box 106169, Atlanta, GA 30348-6169, submitted a Notice of Intent to Remediate. A release of # 2 fuel oil occurred and impacted soils at this site. The proposed future use of the property will be residential. The Notice of Intent to Remediate was published in *The Times Leader* on June 14, 2016.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

CVS Store No. 1677, East Market Street & North Brown Street, (SW Corner), Lewistown, PA 17044, Lewistown Borough, **Mifflin County**. ECS Mid-Atlantic, LLC, 56 Grumbacher Road, Suite D, York, PA 17406, on behalf of PA CVS Pharmacy, LLC c/o J.C. Bar Development, LLC, 415 Fallowfield Road, Suite 301, Camp Hill, PA 17011, submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil and Mercury. The site will be remediated to the Nonresidential Statewide Health Standard. Future use of the site is being developed as a CVS Pharmacy. The Notice of Intent to Remediate was published in the *Lewistown Sentinel* on June 7, 2016.

Chad and Toby Sener Residence, 1099 Twin Lakes Drive, Harrisburg, PA 17111, Lower Paxton Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, P.O. Box 106169, Atlanta, GA 30348-6169, and Chad and Toby Sener, 1099 Twin Lakes Drive, Harrisburg, PA 17111 submitted a Notice of Intent to Remediate site soil contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and remain residential. The Notice of Intent to Remediate was published in the *Patriot News* on April 26, 2016.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Wilderness Park Mobile Home Park, 108 Wilderness Park, Pleasant Township, **Warren County**. Moody & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of Wilderness Mobile Home Park, 3800 Zimmerly Road, Erie, PA 16506, submitted a Notice of Intent to Remediate. The site is a mobile home park and an oil production facility. On three separate dates, a release of crude oil and production fluid impacted site soil and a waterway of the Commonwealth. The release reached a ditchline and an unnamed tributary to Morrison Run. The remediation standard is Statewide Health. Future use of the property will be residential and commercial. The Notice of Intent to Remediate was published in *The Times Observer* on May 20, 2016.

Punxsutawney Tile & Glass, 220 Lane Avenue, Punxsutawney Borough, **Jefferson County**. Mavickar Environmental Consultants, 5925 Stevenson Avenue, Suite A, Harrisburg, PA 17112-1788, on behalf of Punxsutawney Tile & Glass, LLC, 220 Lane Avenue, Punxsutawney, PA 15767, submitted a Notice of Intent to Remediate. Current and historical use of the site is a gazing ball manufacturing operation. Site soils may be impacted by inorganics. Waiting on soil testing data

results to determine extent of contamination. The selected remediation standard is Statewide Health. Proposed future use of the property will be non-residential. The Notice of Intent to Remediate was published in the *Punxsutawney Spirit* on May 21, 2016.

DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Application(s) for Determination of Applicability administratively complete under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

General Permit No. WMGM043SW002. Jacks Waste Services, Inc., 226 Mt. Morris Road, Mt. Morris, PA 15349. For inclusion in the General Permit is for the acceptance, transfer, and processing to beneficial use of construction and demolition waste materials at the Jack's Recycling facility in Perry Township, **Greene County**. The application for determination of applicability was received in the SWRO on May 31, 2016 and deemed administratively complete by the Southwest Regional Office on June 28, 2016.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Application Received Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.

Permit Application No. 300825. United States Steel Corporation (USS) Fairless Works, 600 Grant Street, Pittsburgh, PA 15219-2702. This Final Closure Certification Documentation is for the Fairless Works—Slag Disposal Area B at the USS Fairless Works site permitted under the Solid Waste Permit No. 300825, located in Falls Township, **Bucks County**. The Final Closure Certification Documentation was received by the Southeast Regional Office on June 24, 2016.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 101392. Lehigh Valley Recycling, Inc., 3947 Portland Street, Coplay, PA 18037. A permit renewal application for the continued operation of this municipal waste transfer facility in North Whitehall Township, **Lehigh County**. The application was received by the Regional Office on June 27, 2016 and accepted as complete on June 30, 2016.

Persons interested in reviewing the permit may contact Roger Bellas, Regional Waste Management Program Manager, Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915 at 570-826-2511. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the general public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P.S. §§ 4001–4015), 25 Pa. Code Chapters 121–145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401–7671q) and regulations adopted under the Federal Clean Air Act.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation

to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

PLAN APPROVALS

Plan Approval Applications Received under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636.

16-132L: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254), for the proposed replacement of existing Durr RTO with a new TANN RTO; replacement of existing boiler with new Ness Dust Burner; construction of new dryer with fiber sifter; installation of 2 high efficiency cyclones to replace Turbosonic scrubber; construction of 4 Jenbacher reciprocating engines; installation of a new surplus wood dust collection system; limiting the existing hot oil boilers at the Laminate Plant to emergency use; and an increase in production from 140,000 mcf to 198,000 mcf in Paint Township, **Clarion County**. This is a Title V facility.

Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

59-00031B: Pine Hill Energy, LLC (N. Shore Place I, 358 N. Shore Dr., Ste. 201, Pittsburgh, PA 15212) for the construction of three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Union Township, **Tioga County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one (1) desiccant dehydration system; various fugitive emissions.

On May 26, 2015, the Department issued Plan Approval 59-00031A for sources at this electric generating station. In that application, five (5) 6,023 bhp Jenbacher natural gas-fired engine/generator sets were approved. These engines were never constructed. The Rolls Royce Bergen engines proposed in this application will take the place of the originally proposed Jenbacher engines.

The Department of Environmental Protection's (Department) review of the information submitted by Pine Hill Energy, LLC indicates that the air contamination sources to be constructed will comply with all regulatory requirements, including monitoring, recordkeeping, and reporting requirements, and pertaining to air contamination sources and the emission of air contaminants including the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion

tion Engines, 40 CFR 63.6580—63.6675, the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, 40 CFR 60.4230—60.4248, the Mandatory Greenhouse Gas Reporting Rule, 40 CFR Part 98, 25 Pa. Code Chapter 123 and the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from each proposed engine included in this project will not exceed the following limits: 0.058 g/bhp-hr and 5.44 TPY NO_x, 0.114 g/bhp-hr and 10.69 TPY CO, 0.037 g/bhp-hr and 3.47 TPY VOCs, 0.0006 lb/MMBtu and 0.13 TPY SO_x, 0.050 g/bhp-hr and 4.67 TPY PM/PM₁₀/PM_{2.5}, 0.0009 g/bhp-hr and 0.84 TPY formaldehyde, 10 ppmvd at 15% O₂ ammonia; no visible emissions equal to or greater than 10% for a period or periods aggregating more than three minutes in any 1 hour and equal to or greater than 30% at any time.

In addition to the emission limitations, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with all applicable air quality regulatory requirements: performance testing requirement for all engines to verify compliance with the emissions limitations; establish a facility-wide leak detection and repair (LDAR) program to account for fugitive emissions from high pressure connections; restrict the engines to natural gas firing only; in addition to performance testing, establish follow-up portable analyzer testing for NO_x and CO for all engines every 2,500 hours of operation.

The facility is a State Only facility. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 59-00031B, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161

PA-26-00601: Fenner Dunlop America (120 Mine Street, Allison, PA 15413) to authorize the temporary operations of spray painting, sand blasting, plasma cutting, machining, and welding activities at their Allison Custom Fabrication facility located in Luzerne Township, **Fayette County**.

Sources at the existing facility include a spray painting building, sandblasting building, plasma cutting, welding, and parts washing operation building. The spray painting building will exhaust through dry filters. Plasma cutting, grinding, and washing operations exhaust to a dust collector. Sandblasting operation controlled by two dust sock filters. The four welding stations located under individual welding hoods in a high ceiling building.

Upon authorization of this plan approval the facility potential to emit will not exceed 1.0 ton of NO_x, 1.0 ton of CO, 4.0 tons of VOC, and 3.0 tons of PM on an annual basis. The Fenner Dunlop America facility is subject to the best available technology (BAT). The emission limit

restrictions, monitoring, recordkeeping, reporting, work standards practice, and performance testing requirement conditions of the proposed Plan Approval have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145.

A person may oppose the proposed plan approval by filing a written protest with the Department through Jesse Parihar via the U.S. Postal Service to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to jparihar@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval (PA-26-00601), and a concise statement of the objections to the plan approval issuance and the relevant facts upon which the objections are based.

Fenner Dunlop America's Plan Approval application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Plan Approval for this project are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Fenner Dunlop America Plan Approval Application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Plan Approval for this project, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

All comments must be received prior to the close of business 30 days after the date of this publication.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104.

Contact: Edward Wiener, Chief—Telephone: 215-685-9426

AMS 16000122: Philadelphia College of Osteopathic Medicine (4190 City Avenue, Philadelphia, PA 19131) for installing three (3) each 999,999 BTU/hr boilers firing natural gas, and two (2) 725,000 BTU/hr Cleaver Brooks Boilers firing No. 2 fuel oil and natural gas, three (3) York Absorber each 626,000 BTU/hr, and one (1) 750 Kilowatt (KW) peak shaving generator, a Kohler 159 kw, a Caterpillar 150 kw, a Caterpillar 80 kw, and Kohler a 79 kw emergency generator each firing diesel fuel. There will be a potential emission increase of 19.8 tons of Nitrogen Oxides (NO_x) per year for the facility. The plan approval will contain operating, monitoring and recordkeeping requirements to ensure operation within all applicable requirements.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Tom Joseph, Permitting Chief—Telephone: 412-442-4336.

TV-56-00232: Shade Landfill, Inc. (625 Cherrington Parkway, Moon Township, PA 15108) for their facility located in Shade Township, **Somerset County**.

Shade Landfill, Inc. operates a municipal solid waste landfill. Sources and the control devices at this facility include Landfill Gas (waste), Landfill Gas collection system Paved and Unpaved Roads, Landfill Gas Fugitives, Soil Processing (portable), Aggregate and Soil Handling Process, Landfill, Emergency Generator, LFG Ground Flare (Enclosed Flare), Utility Candle Flare and Water Sprays.

This facility has the potential emissions per year of the following type and quantity of air contaminants: 97.64 tons of carbon monoxide, 37.96 tons of nitrogen oxides, 43.04 tons of particulate matter, 0.61 ton of sulfur oxides, 13.57 tons of volatile organic compounds and 10.00 tons of HAPs. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

A person may oppose the proposed Title V Operating Permit by filing a written protest with the Department through Noor Nahar via mail to Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222; email to nnaharr@pa.gov; or fax to 412.442.4194. Additional written comments may also be submitted. Each protest or set of written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Title V Operating Permit (TV-56-00232) and a concise statement of the objections to the Operating Permit issuance and the relevant facts upon which the objections are based.

Shade Landfill's Title V Operating Permit application, the Department's Air Quality Review Memorandum, and the Proposed Air Quality Operating Permit for this facility are available for review by any interested party at the Pennsylvania Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. To request a review of the Shade Landfill's Title V Operating Permit application, to receive an electronic copy of the Department's Air Quality Review Memorandum, or to receive an electronic copy of the Department's proposed air Quality Operating Permit for this facility, a person may contact Phil Bouse at pbouse@pa.gov or 412.442.4000.

For additional information you may contact Noor Nahar at 412.442.5225.

All comments must be received prior to the close of business 30 days after the date of this publication.

Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

38-05034: Bluescope Building North America Inc. (400 North Weaber Street, Annville, PA 17003) to issue a State Only Operating Permit for their steel fabrication facility located in Annville Township, **Lebanon County**. Actual emissions from the facility average around 21.82 tons per year (tpy) of VOCs pursuant to the last five (5) years of emissions reports. The emergency generator is subject to MACT 40 CFR Part 63 Subpart ZZZZ. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

17-00043: Kitko Wood Products, Inc. (PO Box 3, Glen Hope, PA 16645-0003) to issue a renewal State Only Operating Permit for their facility located in Glen Hope Borough, **Clearfield County**. The facility is currently operating under State Only Operating Permit 17-00043. The facility's sources include a wood-fired boiler (Source ID 031), lumber drying kilns (Source ID P101), rough cut section (Source ID P102), finish section, and water-based glue machines. The equipment in the rough cut section is controlled by a cyclone collector. The equipment in the finish section is controlled by fabric collectors which are vented indoors. No facility changes or source installations, removals or modifications have occurred since the last issuance date, August 16, 2011. The facility's potential emissions of NO_x (expressed as NO₂), CO, SO_x (expressed as SO₂), filterable PM/PM₁₀/PM_{2.5}, and VOCs, in units of tons per year (tpy), are respectively following: 42.92, 52.56, 2.19, 33.79, and 1.51. The emission restrictions, throughput restrictions as well as the testing, monitoring, recordkeeping, reporting and work practice requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. The conditions in the operating permit have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145. All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570.327.0550.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Dave Balog, New Source Review Chief—Telephone: 814-332-6940.

24-00135: National Fuel Gas Supply Corp.—Island Run Compressor Station (6363 Main Street, Williamsville, NY 14221) for intent to issue a Synthetic Minor Permit to operate a natural gas compressor station in Ridgeway Township, **Elk County**. The sources at the facility include 4 natural gas compressor engines, an emergency generator engine, two TEG dehydration units, miscellaneous space heaters and miscellaneous process heaters. The engines are subject to the work practice standards in 40 CFR 63 Subpart ZZZZ pertaining to NESHAPs for Stationary Reciprocating Internal Combustion Engines. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act. The combined total hours of

operation, for Source IDs: 1032, 1033, and 1034, shall be no more than 17,250 hours per year. The potential emissions from the facility after taking limitations are: 48.77 TPY VOC; 96.67 TPY NO_x; 36.69 TPY CO; 0.41 TPY Formaldehyde; 5.23 TPY total HAPs; 0.02 TPY SO_x; 0.43 TPY PM₁₀ and PM_{2.5}; and 5,953 TPY GHGs (CO₂e).

61-00187: SMS Technical Services, LLC (671 Colbert Avenue, Oil City, PA 16301-2288) for renewal of the Natural Minor Permit to operate an electroplating and polishing, facility in Oil City, **Venango County**. The emitting sources include copper electroplating dip tanks, nickel electroplating stations, a HVOF powder coat system, multiple space heaters, a paint booth, degreasers (6 units), plastic powder coat oven, and, polishing booths (2 units). The Nickel electroplating stations, HVOF Powder Coat System and, Polishing Booths (2 Units) are subject to 40 CFR Part 63, Subpart WWWW (6W) pertaining to NESHAPs Area Source Standards for Plating and Polishing Operations. The applicable conditions of Subpart W are included in the permit. The application provided by the facility included emission calculations for the pollutants at the facility. The emissions are summarized as follows: Copper—0.43 lb/yr; Copper Sulfate Pentahydrate—9.27 lbs/yr; Sulfuric Acid—0.093 lb/yr; Volatile Organic Compound—1.77 TPY; Nickel—9.55 lbs/yr; Nickel Sulfamate—45.18 lbs/yr; and, combustion emissions of natural gas less than 0.1 TPY for each of the criteria pollutants.

PLAN APPROVALS

Receipt of Plan Approval Applications and Intent to Issue Plan Approvals, and Intent to Issue Amended Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter B And Subchapter F. These actions may include the administrative amendments of an associated operating permit.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

40-00134A: LGS PA, LLC (P O Box 339, Bristol, IN 46507) for their facility to be located in Wright Township, **Luzerne County**.

Plan Approval No. 40-00134A is for the installation and operation of manufacturing equipment for the production of enclosed cargo trailers. The trailer manufacturing process will consist of following operations at the facility; welding, surface coating, sealing, finishing and wood cutting operations. Only particulate, HAPs and volatile organic compounds emissions are expected from these operations. Potential VOC emissions from the facility will be 13.63 tons/year and potential particulate emissions will be 0.85 ton/year from the facility. The company shall be subject to and comply with 25 Pa. Code § 129.52 for VOC emission limits. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. Particulate emissions will be controlled by the use of dry filters from the surface coating operations and will be less than 0.02 gr/dscf. These limits will meet BAT requirements for this type of operations. The company will use air assisted airless spray guns to minimize overspray. Total hazardous air pollutants (HAP) emissions from the project will not exceed 25 tpy, and individual HAP emissions will not exceed 10 tpy. The facility is subject to and complies with

40 CFR Part 63, Subpart XXX XXX for control of metal fabrication or finishing metal HAP (MFHAP). The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 40-00134A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law (35 P.S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

Coal Applications Received

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 11150101 and NPDES No. PA027931. E.P. Bender Coal Co., Inc., P.O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County** affecting 65.7 acres. Receiving streams: unnamed tributaries to and Fallentimber Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: June 17, 2016.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

16110101. Reichard Contracting, Inc. (212 Olean Trail, New Bethlehem, PA 16242) Renewal of an existing bituminous surface mine in Porter Township, **Clarion County**, affecting 114.5 acres. Receiving streams: Three unnamed tributaries to Leisure Run and Leisure Run, two unnamed tributaries to Jacks Run, and Long Run; all classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Redbank Valley Municipal Authority. This renewal is for reclamation only. Receiving streams: June 27, 2016.

24090102 and NPDES Permit No. PA0258806. Tamburlin Brothers Coal Company, Inc. (P.O. Box 1419, Clearfield, PA 16830) Renewal of an existing bituminous surface mine and associated NPDES permit in Fox Township, **Elk County**, affecting 145.0 acres. Receiving streams: Little Toby Creek, Limestone Run, and unnamed tributaries to Sawmill Run, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 27, 2016.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

65100201 and NPDES Permit No. PA0251976. Alverda Enterprises, Inc. (P.O. Box 245, Alverda, PA 15710). Renewal application for reclamation only to an existing bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 19 acres. Receiving stream: McGee Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: June 27, 2016.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 49851602R6. D. Molesevich & Sons Construction Co., Inc., (PO Box 121, Mt. Carmel, PA 17851), renewal of an existing anthracite coal preparation plant, coal refuse reprocessing and coal refuse disposal operation in Mt. Carmel Township, **Northumberland County** affecting 48.2 acres, receiving stream: Shamokin Creek, classified for the following use: warm water fishes. Application received: June 13, 2016.

Permit No. 49-305-001GP12R. D. Molesevich & Sons Construction Co., Inc., (PO Box 121, Mt. Carmel, PA 17851), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 49851602 in Mt. Carmel Township, **Northumberland County**. Application received: June 13, 2016.

Noncoal Applications Received

Effluent Limits—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

<i>Parameter</i>	<i>Table 2</i>		
	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

37140301 and NPDES Permit No. PA0259551. Amerikohl Aggregates, Inc. (202 Sunset Drive, Butler, PA 16001) Revision to an existing large industrial minerals mine and associated NPDES permit to add 14.3 acres in Wayne Township, **Lawrence County**, affecting 239.4 acres. Receiving streams: Unnamed tributaries to Connoquenessing Creek and Squaw Run; all classified for the following uses: WWF. The first downstream potable water supply intake from the point of discharge is the Pennsylvania American Water Authority. Application received: June 29, 2016.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118

Permit No. 35070801. Norman Wright, Sr., (58 Crane Drive, Factoryville, PA 18419), Stage I & II bond release of a quarry operation in Greenfield Township, **Lackawanna County** affecting 5.0 acres on property owned by Boris Telep. Application received: June 24, 2016.

Permit No. 66990802. Donald A. Stanton, Jr., (2163 Pratt Hollow Road, Nicholson, PA 18446), Stage I & II release of a quarry operation in Nicholson Township, **Wyoming County** affecting 3.0 acres on property owned by Lawrence Spadine. Application received: June 24, 2016.

MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

Effluent Limits for Coal Mining Activities

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Effluent Limits for Noncoal Mining Activities

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal NPDES Draft Permits

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

NPDES No. PA0256943. (Mining permit no. 17080113), Rob Holland Enterprises, 52 Holland Lane, Curwensville, PA 16833, renewal of an NPDES permit for bituminous surface and auger coal mining in Bloom Township, **Clearfield County**, affecting 6.0 acres. Receiving stream(s): Unnamed Tributary A to Little Anderson Creek, classified for the following use(s): CWF. Anderson Creek TMDL. Application received: March 25, 2016.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to: Unnamed Tributary A to Little Anderson Creek

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB-1	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.8	3.6	4.5
Aluminum (mg/l)		1.0	2.0	2.5
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35.0	70.0	90.0

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

NPDES Permit No. PA0225258 on Surface Mining Permit No. 35090101. Maco Associates, Inc., (400 Mill Street, Dunmore, PA 18512), renewal of an existing NPDES Permit for an anthracite surface mine and coal refuse reprocessing operation in Fell Township and City of Carbondale, **Lackawanna County**, affecting 1693.0 acres. Receiving stream: Lackawanna River, classified for the following use: HQ-cold water fishes. Application received: July 18, 2014.

This site utilizes Non-discharge Best Management Practices to control and contain all stormwater on site. No discharge to the Lackawanna River or any tributaries is proposed.

Noncoal NPDES Draft Permits

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

NPDES No. PA0258466 (Permit No. 10070304). Glacial Sand & Gravel Company (P.O. Box 1022, Kittanning, PA 16201) Renewal of an NPDES permit for a large industrial minerals surface mine in Worth Township, **Butler County**, affecting 77.6 acres. Receiving streams: Unnamed tributary to Black Run, classified for the following uses: CWF. TMDL: None. Application received: May 31, 2016.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to unnamed tributary to Black Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
PP01	N
PP02	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH ¹ (S.U.)	6.0			9.0
Alkalinity greater than acidity ¹				
Total Suspended Solids (mg/l)		35	70	90

¹ The parameter is applicable at all times.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

NPDES No. PA0206229 (Mining permit no. 14900301, White Rock Quarry), Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803. Renewal of NPDES permit for noncoal surface mine in Spring Township, **Centre County**, affecting 260.6. Receiving stream(s): Spring Creek classified for the following use(s): CWF. Application received: May 12, 2016.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to Spring Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N
003	N
004	N
005	N
006	N
007	N

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E67-918 Major Amendment: Columbia Gas of PA, 1600 Colony Road, York, PA 17408 in Jackson & Paradise Townships, **York County**, U.S. Army Corps of Engineers Baltimore District.

The applicant proposes to amend the previously issued water obstruction and encroachment permit, permit number E67-918, which authorized the following:

P.H. Glatfelter Company proposes to install and maintain a natural gas connector line spanning approximately 6 miles in Jackson and Paradise Townships beginning at 39° 55' 22" N, 76° 56' 15" W and ending at 39° 52' 33" N, 76° 52' 22" W. Ten (10) wetland crossings and thirteen (13) stream crossings are necessary for the proposed project. Wetland impacts comprise 21,541 square feet (permanent) and 19,997 square feet (temporary). Temporary linear stream impacts total 759 feet with an impact area of 6,072 square feet. Floodway impacts total 2.66 acres. Nine (9) additional stream crossings accompany the project which qualify for a waiver of permit requirements under 25 Pa. Code § 105.12(a)(2). Crossings will be permitted open cut and timber matted for temporary access, with the exception of KLF-WETLAND03 and KLF-WETLAND04 which will utilize bore methods. KLF-WETLAND01 will be permanently impacted with the construction of a new impervious surface (157-ft by 150-ft) for a valve site. KLF-WETLAND03 and KLF-WETLAND04 are classified as Exceptional Value.

The applicant is proposing to amend the permit to include:

To install and maintain a 6-inch steel natural gas connector line The crossing will be installed by directional bore method under a 46-inch culvert pipe carrying an unnamed tributary to Paradise Run (WWF) located within the Township right-of-way along the south side of North Lake Road just south of the intersection of North Schoolhouse Road in Paradise Township, York County at 39° 55' 22.8" N, 76° 55' 58.2" W.

District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701.

E5829-111: Harmony Township, Bluestone Pipeline Company of Pennsylvania, LLC; 1429 Oliver Road, New Milford, PA 18834; Harmony Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 24 inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing impacting 53 lineal feet of an unnamed tributary to Wildcat Run (CWF-MF) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 33", Longitude: -75° 31' 01"),

2) a temporary timber mat bridge crossing impacting 23 lineal feet of an unnamed tributary to Wildcat Run (CWF-MF) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 28", Longitude: -75° 30' 55"),

3) a 24 inch diameter steel natural gas gathering pipeline and temporary timber mat bridge crossing im-

packing 52 lineal feet of an unnamed tributary to Starucca Creek (CWF-MF) (Susquehanna, PA Quadrangle; Latitude: 41° 56' 08", Longitude: -75° 30' 41"),

4) a 24 inch diameter steel natural gas gathering pipeline and timber mat crossing temporarily impacting 2,698 square feet (0.06 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 32", Longitude: -75° 31' 01"),

5) a timber mat crossing temporarily impacting 2,194 square feet (0.05 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 34", Longitude: -75° 31' 00"),

6) a 24 inch diameter steel natural gas gathering pipeline and timber mat crossing temporarily impacting 19,235 square feet (0.44 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 34", Longitude: -75° 31' 00"),

7) a timber mat crossing temporarily impacting 51 square feet (<0.01 acre) of a palustrine emergent wet-

lands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 55' 39", Longitude: -75° 31' 01"),

8) a 24 inch diameter steel natural gas gathering pipeline and timber mat crossing temporarily impacting 11,504 square feet (0.26 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 56' 02", Longitude: -75° 30' 39"),

9) a 24 inch diameter steel natural gas gathering pipeline and timber mat crossing temporarily impacting 8,335 square feet (0.19 acre) of a palustrine emergent wetlands (PEM) (Susquehanna, PA Quadrangle; Latitude: 41° 56' 08", Longitude: -75° 30' 40").

The project consists of constructing approximately 1.1 miles of 24" steel natural gas gathering line located in Harmony Township, Susquehanna County. The project will result in 128 lineal feet of temporary stream impacts and 44,017 square feet (1.01 acre) of temporary wetland impacts all for the purpose of providing safe reliable conveyance of Marcellus Shale natural gas to market.

ACTIONS

THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254355 (Sewage)	Comanche 9 Single Residence STP 1776 Lambersville Road Stoystown, PA 15563	Somerset County Indian Lake Borough	Clear Run (18-E)	Yes

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0057991 (Sewage)	Rothstein Subdivision 1355 Pebble Hill Road Doylestown, PA 18901	Bucks County Doylestown Township	Neshaminy Creek (2-F)	Yes
PA0033880 (Sewage)	New Hanover Upper Frederick Elementary School STP 1131 Montgomery Avenue Boyertown, PA 19512-1299	Montgomery County New Hanover Township	Unnamed Tributary Swamp Creek (3-E)	Yes
PA0053635 (Sewage)	Buckeye Terminal, LLC 5002 Buckeye Road P.O. Box 368 Emmaus, PA 18049	Chester County East Whiteland Township	Little Valley Creek (3-F)	Yes
PA0058971 (Storm Water)	JDM Material Langhorne Batch Plant 851 County Line Road Huntingdon Valley, PA 19006	Bucks County Middletown Township	Little Valley Creek (3-F)	Yes

Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0064033 (Sewage)	Vraj Temple STP 15 Manor Road Schuylkill Haven, PA 17972	Schuylkill County Wayne Township	Unnamed Tributary to Lower Little Swatara Creek (7-D)	Yes

Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.3636.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0112941 (Industrial)	Emporium Forging Company 221 E 2nd Street Emporium, PA 15834-1306	Cameron County Emporium Borough	Driftwood Branch Sinnemahoning Creek (8-A)	Yes
PA0114081 (Sewage)	Woods Edge Estates Clear Run STP 2028 State Route 487 Orangeville, PA 17859-9029	Columbia County Orange Township	Fishing Creek (5-C)	Yes
PA0233927 (Sewage)	Lewis Township SFTF PO Box 143 Watsonstown, PA 17777-0143	Northumberland County Lewis Township	Unnamed Tributary to Warrior Run (10-D)	Yes
PA0114766 (Sewage)	Behavioral Specialists 184 E Village Drive Williamsport, PA 17702-8023	Lycoming County Susquehanna Township	Bender Run (10-A)	Yes
PA0111741 (Sewage)	Lewis Township Wastewater Treatment Plant PO Box 143 Watsonstown, PA 17777-0143	Northumberland County Lewis Township	Warrior Run (10-D)	Yes

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0263826 (Sewage)	Denton A & Twila J Eby SRSTP 17963 Highway 86 Saegertown, PA 16433-6349	Crawford County Woodcock Township	Unnamed Tributary to Bossard Run (16-A)	Yes
PA0263800 (Sewage)	Billy L Morgan SRSTP 392 Palmer Road Butler, PA 16001	Butler County Center Township	Unnamed Tributary to Connoquenessing Creek (20-C)	Yes
PA0104078 (Sewage)	Anderson MHP 134 N Maysville Road Greenville, PA 16125-8632	Mercer County West Salem Township	Unnamed Tributary to Big Run (20-A)	Yes

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES Permit No. PA0026182, Sewage, Renewal, **Lansdale Borough**, One Vine Street, Lansdale, PA 19446.

This proposed facility is located in Lansdale Borough, **Montgomery County**.

Description of Action/Activity: Approval for a renewal of an NPDES permit for discharge of treated sewage.

NPDES Permit No. PA0053180, Sewage, **Montgomery Township Municipal Sewer Authority**, 1001 Stump Road, Montgomeryville, PA 18936.

This proposed facility is located in Montgomery Township, **Montgomery County**.

Description of Action/Activity: Issuance of an NPDES permit for an existing discharge of treated sewage.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

NPDES Permit No. PA0266361, Sewage, **Douglas Zook**, PO Box 331, East Prospect, PA 17317.

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT of Fishing Creek in Watershed 7-I.

Northcentral Region: Clean Water Program Manager, 208 West Third Street, Williamsport, PA 17701.

NPDES Permit No. PA0232734, Sewage, SIC Code 4952, **Timothy L. Lutz**, 794 E. Ridge Road, Sunbury, PA 17801-5219.

This proposed facility is located in Lower Augusta Township, **Northumberland County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0232742, Sewage, SIC Code 4952, **Anthony & Patricia Fiamingo SRSTP**, 124 Borg Road, Mansfield, PA 16933-8205.

This proposed facility is located in Sullivan Township, **Tioga County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0115231 A-1, Sewage, SIC Code 4952, **Woodland Bigler Area Authority**, P.O. Box 27, Woodland, PA 16881-0027.

This existing facility is located in Bradford Township, **Clearfield County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit Amendment for an existing discharge of treated Sewage.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

NPDES Permit No. PA0002372, Industrial, SIC Code 2999, **International Waxes Inc.**, 45 Route 446, Smethport, PA 16749-5413.

This existing facility is located in Keating Township, **McKean County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Industrial Waste.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

WQM Permit No. 1116403, Sewage, **Forest Hills Municipal Authority**, P.O. Box 337, St Michael, PA 15951-0337.

This proposed facility is located in Adams Township, **Cambria County**.

Description of Proposed Action/Activity: Construction of Beautyline Interceptor Sewer.

WQM Permit No. 5616400, SIC Code 0241, **Hillcrest Saylor Dairy LLC**, 3684 Kingwood Road, Rockwood, PA 15557-7802.

This proposed facility is located in Middlecreek Township, **Somerset County**.

Description of Proposed Action/Activity: (1). One covered reception pit (12" × 30" × 12" deep) with 6" freeboard, effective storage capacity of approximately 31,000 gallons. This storage structure will be built with precast reinforced concrete, materials for sub base layer is in-situ soil. A 30 mil PVC layer will serve as a secondary liner between the soil sub base and concrete structure. Crushed stones will provide a stable base and drainage around the floor and footings of the reception pit. The reception pit will have a perimeter drain of HDPE 4" PVC pipe to drain to an observation well with valve on outlet side to allow containment and management of liquids in the event of a leak.

(2). Ancillary improvements necessary to implement this system including pumps, transfer lines, valves, animal guard, and interconnections with the existing manure storage system.

Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900.

WQM Permit No. WQG02091603, Sewage, **Warwick Township Water & Sewer Authority**, P.O. Box 315, 1733 Township Greene, Jamison, PA 18929-0315.

This proposed facility is located in Warwick Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a low pressure sewer extension.

WQM Permit No. 0999405, Sewage, **Buckingham Township**, P.O. Box 413, Buckingham, PA 18912-0413.

This proposed facility is located in Buckingham Township, **Bucks County**.

Description of Action/Activity: Approval to renew the existing permit, consolidate a number of WQM permits under the renewed permit and transfer 0.0235 gpd to another WQM permitted facility. A number of permits were issued as the facility expanded to include new service areas, new lagoons, as well as additional land application sites. The consolidated permit numbers are: 0992409, 0993413, 0996405, and 0999405.

WQM Permit No. 1503401, Sewage, Amendment, **Easttown Township Municipal Authority**, 566 Beaumont Road, P.O. Box 79, Devon, PA 19333.

This proposed facility is located in Easttown Township, **Chester County**.

Description of Action/Activity: Approval for replacement of portions of a gravity sewer main upstream of the Daylesford pump station along with the replacement of a portion of the force main downstream of the same pump station.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

WQM Permit No. 3806406, Amendment No. 1, Sewerage, **Myerstown Borough**, 101 East Washington Avenue, Myerstown, PA 17067-1142.

This proposed facility is located in Myerstown Borough, **Lebanon County**.

Description of Proposed Action/Activity: Permit approval for the replacement of the influent screening devise at the Myerstown STP.

WQM Permit No. 6716402, Sewerage, **Douglas Zook**, PO Box 331, East Prospect, PA 17317.

This proposed facility is located in Peach Bottom Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of a small flow treatment system to serve their single family residence.

WQM Permit No. 2882419, Amendment No. 1, Sewerage, **Saint Thomas Township Municipal Authority**, 175 St. Thomas Edenville Road, St. Thomas, PA 17252.

This proposed facility is located in Saint Thomas Township, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the replacement of gas chlorination with sodium hypochlorite disinfection.

WQM Permit No. 2116403, Sewerage, **New Cumberland Borough**, 1120 Market Street, New Cumberland, PA 17070.

This proposed facility is located in New Cumberland Borough, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for minor modifications to the Northwest Pump Station building, the replacement of a deteriorated existing 6-inch force main, and the installation of a parallel 6-inch force main for maintenance purposes.

WQM Permit No. 3615403, Sewerage, **Turkey Hill, LP**, 257 Centerville Road, Lancaster, PA 17603.

This proposed facility is located in Drumore Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction of a WWTP to serve a Turkey Hill and Tractor Supply Store development located at 1008 Lancaster Pike, Quarryville.

WQM Permit No. 2216403, Sewerage, **Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109.

This proposed facility is located in Lower Paxton Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of the Parkchester Pumping Station and Forcemain.

WQM Permit No. 0615403, Sewerage, **Tulpehocken Area School District**, 27 Rehrersburg Road, Bethel, PA 19507-9737.

This proposed facility is located in Jefferson Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for upgrades to the Tulpehocken Area High School STP.

Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.

WQM Permit No. 5905401 A-3, Sewage, SIC Code 4952, **Liberty Area Municipal Authority**, PO Box 73, Liberty, PA 16930-0073.

This existing facility is located in Liberty Township, **Tioga County**.

Description of Proposed Action/Activity: Addition of aeration to supplement winter ammonia removal.

WQM Permit No. 4916401, Sewage, SIC Code 4952, **Timothy L. Lutz**, 794 E. Ridge Road, Sunbury, PA 17801-5219.

This proposed facility is located in Lower Augusta Township, **Northumberland County**.

Description of Proposed Action/Activity: The constructions of a single residence sewage treatment plant.

WQM Permit No. 1472402 A-1, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 N 9th Street, Philipsburg, PA 16866-2327.

This existing facility is located in Rush Township, **Centre County**.

Description of Proposed Action/Activity: Headworks Building and general facility upgrades.

Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

WQM Permit No. WQG01201602, Sewage, **Donald & Trina Porter**, 16766 Airport Road, Linesville, PA 16424-7614.

This proposed facility is located in Conneaut Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI014613012(1)	JERC Partners XIII, L.P. 171 Route 173, Suite 201 Asbury, NJ 08802	Philadelphia	City of Philadelphia	Huntingdon Valley Creek TSF-MF Pennypack Creek TSF-MF

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024015002	PPL Electric Utilities Corporation 2 North Ninth Street Allentown, PA 18101-1139	Luzerne	Conyngham Township Plains Township Bear Creek Township Wilkes-Barre Township Hanover Township Fairview Township Rice Township Laurel Run Borough Nuangola Borough	Big Wapwallopen Creek (CWF, MF) Deep Hollow (CWF, MF) Gardner Creek (CWF, MF) Laurel Run (CWF, MF) Little Wapwallopen Creek (CWF, MF) Mill Creek (CWF, MF) Nanticoke Creek (CWF, MF) Pine Creek (CWF, MF) Pond Creek (CWF, MF) Solomon Creek (HQ-CWF, MF) Sugar Notch Run (CWF, MF) Susquehanna River (WWF, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023915034	Lehigh Valley Hospital, Inc. c/o Mr. Brian S. Hardner Facilities & Construction Dept., 5th Floor 2100 Mack Boulevard PO Box 4000 Allentown, PA 18105	Lehigh	Salisbury Township	Little Lehigh Creek (HQ-CWF, MF)
PAI023915020(1)	Mack Trucks Inc. c/o Mr. Antonio Servidoni 3350 Gehman Road Macungie, PA 18062-9631	Lehigh	Lower Macungie Township	Swabia Creek (HQ-CWF, MF)
PAI024509016R	Arcadia Properties, LLC 100 Gateway Drive Bethlehem, PA 18017	Monroe	Tobyhanna Township	Tobyhanna Creek (HQ-CWF, MF) Goose Run (HQ-CWF, MF)
PAI024806029R(2)	J.G. Petrucci Co., Inc. c/o Mr. Joseph Correia 171 State Route 173 Suite 201 Asbury, NJ 08802-1365	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAI023916005	WHBC Building E&F, LP c/o Mr. Gary Frederick 4507 N. Front Street Suite 302 Harrisburg, PA 17110	Lehigh	Weisenberg Township	Lyon Creek (HQ-CWF, MF)

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Nathan Crawford, Section Chief, Telephone 717.705.4802.

<i>Permit #</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033609002R	PaulLantz Builders, Inc. 140 Stubel Road Strasburg, PA 17579	Lancaster	Bart Township	UNT Nickel Mines Run (HQ-CWF, MF)

Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701.

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041415005	Centre County Airport Authority 2493 Fox Hill Road State College, PA 16803	Centre	Benner Township	Buffalo Run HQ-CWF

VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

General Permit Type—PAG-02

Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Lower Merion Township Montgomery County	PAG02004616024	Merion Mercy Academy 511 Montgomery Avenue Merion Station, PA 19066	Gulley Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG02004616040	Be Amazing LLC 1862 Nicole Drive Plymouth Meeting, PA 19462	Tributary to Sawmill Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG02002316013	Newtown Square 11, LP 2040 Sandy Drive Suite C State College, PA 16083	Crum Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511522	Provco Pineville Borbeck, LLC 795 East Lancaster Avenue Villanova, PA 19085	Pennypack Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511530	Stantec Consulting Services, Inc. 1500 Spring Garden Street Suite 1100 Philadelphia, PA 19130	Lower Schuylkill River CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
		Catholic Human Services 222 North 17th Street 4th Floor Philadelphia, PA 19106		

Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
City of Scranton Lackawanna County	PAG02003516009	Nammo Pocal, Inc. 100 Electric Street Scranton, PA 18509	UNT to Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Burlington, Granville, Towanda, Troy, West Burlington & Wysox Townships Bradford County	PAG02000816006	Kristin S Susick Pennsylvania Electric Company 341 White Pond Road Akron, OH 44320	Sugar Creek, TSF; S. Branch Sugar Creek, TSF; Mud Creek, TSF; Canfield Run, TSF; Towanda Creek, WWF; N. Branch Towanda Creek, CWF; Preacher Brook, CWF; Bailey Run, WWF; Susquehanna River, WWF.	Bradford County Conservation District Stoll Natural Resource Ctr 200 Lake Rd Ste E Towanda, PA 18848 (570) 265-5539, X 6
Spring Township Centre County	PAG02001403007R	S&A Custom Built Homes Inc. 2121 Old Gatesburg Rd State College, PA 16803	Logan Branch, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Ferguson Township Centre County	PAG02001416005	State College Alliance Church 1221 W. Whitehall Rd State College, PA 16801	Slab Cabin Run, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Snow Shoe Township Centre County	PAG02001416006	Mr. John A Nastase P O Box 1 Snow Shoe, PA 16874	UNT to S. Fork Beech Creek, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Spring Township Centre County	PAG02001416013	Spring Township Water Authority 1309 Blanchard St Bellefonte, PA 16823	UNT Logan Branch, CWF-MF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
State College Borough Centre County	PAG02001416011	Pennsylvania State University 139J Physical Plant Bldg University Park, PA 16802	Big Hollow, CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Muncy Township Lycoming County	PAG02004112029(6)	Aubrey Alexander Blaise Alexander Family LTD PA 10 Alexander Drive Muncy, PA 17756 Robert Tagge 1310 Commerce Park Dr Williamsport, PA 17701	Turkey Run, WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Muncy Township Lycoming County	PAG02004116009	William Manos P O Box 308 Montoursville, PA 17754	Carpenters Run, WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003
Valley Township Montour County	PAG02004716004	Dan-Ber Concrete & Supply, Inc. P O Box 624 Mifflinville, PA 186312	UNT to Mauses Creek, CWF	Montour County Conservation District 14 E Mahoning St Danville, PA 17821 (570) 271-1140

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Kelly Township Union County	PAG02006016010	Galen Nolt 3303 Hoffer Mill Road Lewisburg, PA 17837	UNT to Buffalo Creek	Union County Conservation District Union County Government Center 155 N 15th St Lewisburg, PA 17837 (570) 524-3860

Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
South Buffalo Township	PAG02000316003	South Buffalo Township 384 Iron Bridge Road Freeport, PA 16229	UNT to Allegheny River (WWF)	Armstrong County Conservation District Armsdale Administration Building Suite B-2 124 Armsdale Road Kittanning, PA 16201 (724) 548-3425
Center Township	PAG02000416005	Silverdot, Inc. 5782 Montville Road McDonald, PA 15075	Moon Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
Chippewa Township	PAG02000416014	Wal-Mart Stores East, LP 2001 Southeast Tenth Street Mail Stop #5570 Bentonville, AR 72716	Wallace Run (WWF)	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
North Union Township	PAG02002614007(1)	FayPenn Economic Development Council 1040 Eberly Way Lemont Furnace, PA 15456	UNT to Redstone Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Franklin Township	PAG02002614019(1)	J D & D Enterprises 100 Ross Street Pittsburgh, PA 15219	UNT to Redstone Creek (WWF), Redstone Creek (WWF), and Jennings Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Springhill Township	PAG02002615005	SBA Towers III, LLC 5900 Broken Sound Parkway Boca Raton, FL 33487	UNT to Grassy Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Dunbar Township	PAG02002615006	Fayette County Airport Authority 988 Sky Drive Lemont Furnace, PA 15456	UNT to Gist Run (TSF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Bullskin Township	PAG02002615010	Bullskin Township—Connellsville Township Joint Sewage Authority, 2801 Memorial Boulevard, Connellsville, PA 15425	Mounts Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Union Township	PAG02002615011	Brinker Penn Trust, Inc. 6820 LBJ Freeway Akron, OH 44313	Coal Lick Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
North Union Township	PAG02002615014	PTVXVI, LLC 1563 Woodward Drive Extension Greensburg, PA 15601	Redstone Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Union Township	PAG02002615015	George Family Limited Partnership 1165 National Pike Uniontown, PA 15401	Lick Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Redstone Township	PAG02002615016	Redstone Township Sewer Authority 1002 Main Street P.O. Box 751 Republic, PA 15475	Dunlap Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Perry Township	PAG02002616001	Gary Angelo 432 Fayette City Road Perryopolis, PA 15473	Washington Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
South Union Township	PAG02002616003	Mark E. German 141 Hillpointe Drive Canonsburg, PA 15317	UNT to Coal Lick Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Luzerne Township	PAG02002616006	Columbia Gas of PA 2021 West State Street New Castle, PA 16101	UNT to Cox Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
German Township	PAG02002616007	Columbia Gas of PA 2021 West State Street New Castle, PA 16101	UNT to Browns Run (WWF), UNT to Middle Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Menallen Township	PAG02002616008	Franco's Golf Center 482 McClellandown Road Uniontown, PA 15401	UNT to Jennings Run (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Luzerne Township	PAG02002616009	Columbia Gas of PA 2021 West State Street New Castle, PA 16101	UNT to Wallace Run (WWF), UNT to Lilly Run (WWF), UNTs to Dunlap Creek (WWF)	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Somerset Township	PAG02005616002	J. E. Herring Motor Company 286 Neilan Road Somerset, PA 15501	West Branch of Coxes Creek (WWF)	Somerset County Conservation District Somerset County Ag Center, 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Brothersvalley Township	PAG02005616005	Beachdale Farms, Inc. 126 Bronco Drive Berlin, PA 15530	UNT to Swamp Creek (CWF)	Somerset County Conservation District Somerset County Ag Center, 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652

<i>Facility Location and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
West Carroll Township, Cambria County	PAG02091116007	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Leslie Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

General Permit Type—PAG-03

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Philadelphia City Philadelphia County	PAR900017	Clean Earth of Philadelphia LLC 3201 South 61st Street Philadelphia, PA 19153	Schuylkill River and Unnamed Tributary of Schuylkill River 3F	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR600024	SD Richman Sons Inc. 2435 Wheatsheaf Lane Philadelphia, PA 19137	Frankford Creek 3J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Montgomery County Franconia Township	PAR120023	Leidy's Souderton Plant 266 West Cherry Lane Souderton, PA 18964	Unnamed Tributary to Skippack Creek 3E	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Philadelphia City Philadelphia County	PAR600026	Allegheny Iron & Metal Co. Tacony Street & Adams Avenue Philadelphia, PA 19124	Frankford Creek 3J	Southeast Region Clean Water Program 2 E Main Street Norristown, PA 19401 484.250.5970
Liberty Township Tioga County (Industrial Stormwater)	PAR114803	Matt's Auto Parts & Sales Inc. 1177 Bloss Mountain Road Liberty, PA 16930	Unnamed Tributary to Blacks Creek— 9-A	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Muncy Township Lycoming County (Industrial Stormwater)	PAR114801	Andritz Inc. 35 Sherman Street Muncy, PA 17756-1227	Storm Sewer to West Branch Susquehanna River—10-D	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636
Covington Township Tioga County	PAR214837	Centre Concrete Co. P.O. Box 859 2280 East College Avenue State College, PA 16804	Unnamed Tributary to Tioga River—4-A	DEP Northcentral Regional Office Water Management 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3664

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Berks County/ Bethel Township	PAG043704	Steven & Tamara Collins 261 Camp Strauss Road Bethel, PA 19597	Crosskill Creek/CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Conneaut Township Crawford County	PAG041206	Donald & Trina Porter 16766 Airport Road Linesville, PA 16424-7614	Unnamed Tributary to Linesville Creek— 20-A	DEP North West Regional Office Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814.332.6942

General Permit Type—PAG-5

Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Houston Borough Washington County	PAG056259	Coen Oil Company 1045 W. Chestnut Street Washington, PA 15301-4628	Unnamed Tributary to Chartiers Creek— 20-F WWF	DEP South West Regional Office Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412.442.4000

General Permit Type—PAG-8 (SSN)

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Center Township, Snyder County	PAG-09-4841	Jonathan Hummel 117 Daves Lane Middleburg, PA 17842	Jonathan Hummel Farm Field 6 Center Township, Snyder County	Northcentral Regional Office 570.327.3636

General Permit Type—PAG-9

<i>Facility Location & County / Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Bedford County/West St. Clair Township	PAG093509	Lang Septic Service 4995 Cortland Road New Paris, PA 15554	Lang Septic Service 4995 Cortland Road New Paris, PA 15554	DEP—SCRO— Clean Water 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-10

<i>Facility Location Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Brady Township Lycoming County	PAG104848	Lycoming County PO Box 187 447 Alexander Drive Montgomery, PA 17752-0187	Unnamed Tributary of Black Run and Unnamed Tributary to Black Run—10-C	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Berks County/ Bethel Township	PAG123832	Oscar Manbeck 10 Fort Henry Road Bethel, PA 19507-9544	UNT Crosskill Creek/ CWF	DEP—SCRO—CW 909 Elmerton Ave. Harrisburg, PA 17110 717-705-4707

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Juniata County/ Walker Township	PAG123830	Steve Reinford Reinford Farms, Inc. 505 Cedar Grove Road Mifflintown, PA 17059-8134	Cedar Spring Run/ TSF	DEP—SCRO—CW 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Beaver Township Snyder County	PAG124840	Country View Family Farms LLC 1301 Fulling Mill Road Middletown, PA 17057-5975	Kern Run—6-A	DEP North Central Regional Office Clean Water Program 208 W Third Street Suite 101 Williamsport, PA 17701-6448 570.327.3636

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

APPLICATIONS

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Critter Hill Farm, LLC 224 Quaker Run Road Biglerville, PA 17307	Adams	39	328.25	Turkeys, Beef	NA	Approved
Dwight Zimmerman 80 South Northkill Road Bernville PA, 19506	Berks	0	288.32	Poultry (Broilers)	N/A	Approved
Mahosky Farms, LLC 210 Back Road Canton, PA 17724	Tioga	74	713.42	Hog	Sugar Works Run—HQ Mill Creek-HQ	Approved

PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2

Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and proce-

dures may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Operations Permit # 0916502 issued to: **Upper Southampton Municipal Authority**, 945 Street Road, P.O. Box 481, Upper Southampton, PA 18966, [(PWSID)] Warminster Township, **Bucks County** on June 22, 2016 for the operation of an emergency interconnection with the Warminster Municipal Authority.

Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit No. 5016503 MA, Minor Amendment, Public Water Supply.

Applicant	Mr. Robert Kreiser and Mr. Eugene Wilson
Municipality	Liverpool Borough
County	Perry
Responsible Official	Robert N. Kreiser, Owner/Operator PO Box 173 New Buffalo, PA 17069
Type of Facility	Combining of Entry Points (EP) 101 and 102 into a single EP and a revised demonstration of 4-Log treatment of viruses.
Consulting Engineer	Jennifer Miller, P.E. Herbert Rowland & Grubic Inc 369 East Park Drive Harrisburg, PA 17111
Permit to Construct Issued	6/30/2016

Permit No. 0115513, Public Water Supply.

Applicant	Shipley Family Limited Partnership
Municipality	Mt. Joy Township
County	Adams
Responsible Official	Richard Beamesderfer, CFO 415 Norway Street York, PA 17403
Type of Facility	Rearrangement of the order of treatment and rebedding of the existing GAC treatment units.

Consulting Engineer	James P. Cinelli, P.E. Liberty Environmental, Inc. 50 North Street Reading, PA 19601
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Permit to Construct Issued	6/4/2016
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Operation Permit No. 3815508 MA issued to: **Cornwall Borough Municipal Authority (PWS ID No. 7380007)**, Cornwall Borough, **Lebanon County** on 6/30/2016 for facilities approved under Construction Permit No. 3815508MA.

Operation Permit No. 3116501 MA issued to: **Mount Union Borough (PWS ID No. 4310016)**, Mount Union Borough, **Huntingdon County** on 6/28/2016 for facilities approved under Construction Permit No. 3116501MA.

Operation Permit No. 3615507 issued to: **Moyer Ziegler Partnership (PWS ID No. 7360081)**, West Cocalico Township, **Lancaster County** on 6/30/2016 for facilities at Homeroom Commons Apartments approved under Construction Permit No. 3615507.

Transferred Comprehensive Operation Permit No. 3066531 issued to: **WG America Company, LLC (PWS ID No. 3066531)**, Cumru Township, **Berks County** on 6/28/2016. Action is for a Change in Ownership for "The Water Guy," Berks County for the operation of facilities previously issued to Shinn Spring Water Company.

Comprehensive Operation Permit No. 7366413 issued to: **H2O To Go (PWS ID No. 7366413)**, **Lancaster County** on 6/30/2016 for the operation of facilities submitted under Application No. 7366413.

Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

Permit No. 1416502—Construction—Public Water Supply.

Applicant	Eagle Creek, LLC
Township/Borough	Union Township
County	Centre
Responsible Official	Mr. Scott L. Yocum Eagle Creek, LLC 1375 Martin Street State College, PA 16801
Type of Facility	Public Water Supply
Consulting Engineer	Thomas M. Levine, P.E. Levine Engineering, LLC 1108 13 Avenue P.O. Box 429 Altoona, PA 16603-0429
Permit Issued	June 24, 2016
Description of Action	Removal of the existing greensand filtration system, including potassium permanganate addition, which was originally approved by permit no. 1495505. In addition, this permit authorizes the installation of a phosphate chemical feed system for sequestration of iron and manganese.

Permit No. 4416465-T1—Transfer/Operation—
Public Water Supply.

Applicant **T. A. Fulmer LLC**
 Township/Borough City of Williamsport
 County **Lycoming**
 Responsible Official Mr. Thomas A. Fulmer
 T. A. Fulmer LLC
 333 Ertel Road
 Williamsport, PA 17701
 Type of Facility Public Water Supply
 Consulting Engineer N/A
 Permit Issued June 29, 2016
 Description of Action Operation permit has been transferred from Fulmer's Personal Care Home to T. A. Fulmers LLC. In addition, this permit authorizes the operation of the updated water hauling truck and tanker submitted with the permit application package and has removed trucks and tankers no longer used or authorized to haul water for human consumption.

Duncan Township Municipal Water Authority
 (Public Water Supply) Duncan Township, **Tioga County**:
 On June 29, 2016, the Safe Drinking Water Program approved the Source Water Protection (SWP) plan for the Duncan Township Municipal Water Authority, Duncan Township, Tioga County. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP plan was funded by the Department of Environmental Protection (John C. Hamilton, P.E., (570) 327-3650).

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

Permit No. 0216503, Public Water Supply.

Applicant **The Municipal Authority of the Borough of Edgeworth**
 313 Beaver Road
 Edgeworth, PA 15143
 [Borough or Township] Bell Acres Borough
 County **Allegheny**
 Type of Facility New Camp Meeting Road tank
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Construct June 28, 2016
 Issued

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5260020**) South Union Township, **Fayette County** on June 29, 2016 for the operation of facilities approved under Construction Permit # 2615507.

Operations Permit issued to: **Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, (**PWSID # 5260020**) West Mifflin Borough, **Allegheny County** on June 28, 2016 for the operation of facilities approved under Construction Permit # 0214535.

Operations Permit issued to: **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222, (**PWSID #5020038**) City of Pittsburgh, **Allegheny County** on June 29, 2016 for the operation of facilities approved under Construction Permit # 0213506MA.

Permit No. 0216510MA, Minor Amendment. Public Water Supply.

Applicant **Borough of Tarentum**
 318 2nd Avenue
 Tarentum, PA 15084
 [Borough or Township] Borough of Tarentum
 County **Allegheny**
 Type of Facility Tank # 2
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 PO Box 853
 Latrobe, PA 15650
 Permit to Construct June 28, 2016
 Issued

Permit No. Emergency, Minor Amendment. Public Water Supply.

Applicant **Pittsburgh Water and Sewer Authority**
 1200 Penn Avenue
 Pittsburgh, PA 15222
 [Borough or Township] City of Pittsburgh
 County **Allegheny**
 Type of Facility Maryland Avenue waterline
 Consulting Engineer Pittsburgh Water and Sewer Authority
 1200 Penn Avenue
 Pittsburgh, PA 15222
 Permit to Construct June 24, 2016
 Issued

Permit No. 0216511MA, Minor Amendment. Public Water Supply.

Applicant **Municipal Authority of the Borough of West View**
 210 Perry Highway
 Pittsburgh, PA 15229
 [Borough or Township] Franklin Park Borough and Marshall Township
 County **Allegheny**
 Type of Facility Sunny Hill Road waterline
 Consulting Engineer Bankson Engineers, Inc.
 Suite 200
 267 Blue Run Road
 Cheswick, PA 15024
 Permit to Construct June 28, 2016
 Issued

Permit No. 6516504WMP, Minor Amendment. Public Water Supply.

Applicant	Highridge Water Authority 17 Maple Avenue Blairsville, PA 15717
[Borough or Township]	Burrell Township
County	Indiana
Type of Facility	Bulk water fill station
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Permit to Construct Issued	June 28, 2016

Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 1015505, Public Water Supply

Applicant	Ronald & Robert Krenitsky Rolling Valley Estates 379 Eagle Mill Road Butler, PA 16001
Township or Borough	Connoquenessing Township
County	Butler
Type of Facility	Public Water Supply
Consulting Engineer	Mark Urbassik, P.E. KU Resources, Inc. 22 South Linden Street Duquesne, PA 15110
Permit to Construct Issued	June 28, 2016

Emergency Operation Permit No. 5 issued to **Fox Township (Toby Water), PWSID No. 6240008**, Fox Township, **Elk County** on June 30, 2016. This permit is issued for the continued use of the interconnection with the Saint Marys Water Authority.

Operation Permit issued to **Clarion Vista Lofts LLC, PWSID No. 6160872**, Paint Township, **Clarion County**. Permit Number 1615502 issued July 1, 2016 for the operation of the Clarion Riverview Apartments Public Water Supply System. This permit is issued in response to an operation inspections conducted by the Department of Environmental Protection personnel on February 24, 2015, April 27, 2015, January 8, 2016, and June 21, 2016.

Transfer of Operation Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. Action is for change in ownership; the potable water supplier will do business as Country Acres Trailer Court. The new permit number is 2012506-T1.

Cancellation of Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. This action represents the cancellation of Permit Number 2007506 issued July 28, 2008. This action is a result of consolidation into permit number 2012506-T1.

Cancellation of Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. This action represents the cancellation of Permit Number 2007506-MA1 issued March 2, 2012. This action is a result of consolidation into permit number 2012506-T1.

Cancellation of Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. This action represents the cancellation of Permit Number 2012506 issued May 1, 2013. This action is a result of consolidation into permit number 2012506-T1.

Cancellation of Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. This action represents the cancellation of Permit Number 2088504 issued February 6, 1990. This action is a result of consolidation into permit number 2012506-T1.

Cancellation of Permit issued to **Country Acres Trailer Court LLC, PWSID No. 6200023**, East Mead Township, **Crawford County** on July 1, 2016. This action represents the cancellation of Permit Number 2088504-T1 issued October 22, 1991. This action is a result of consolidation into permit number 2012506-T1.

Operation Permit issued to **Bradford City Water Authority, PWSID No. 6420014**, Bradford Township, **McKean County**. Permit Number 4212501 issued July 1, 2016 for the operation of the new sludge collection systems in the clarifiers, the backwash air scour systems, and the cleaning of the filter media in the Bradford City Water Treatment Plant. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on April 6, 2016, and subsequent information received on June 14, 2016.

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P.L. 842, No. 365) (35 P.S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.

Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

WA2-678C, Water Allocations. Municipal Authority of the Borough of West View, 210 Perry Highway, Pittsburgh, PA 15229, **Allegheny County**. The right to withdraw 40 million gallons of water, as a daily maximum, from the Ohio River at the Joseph A. Berkley Water Treatment Plant.

WA4-1014, Water Allocations. Municipal Authority of the Borough of West View, 210 Perry Highway, Pittsburgh, PA 15229, **Beaver County**. The right to withdraw 15 million gallons of water, as a daily maximum, from the proposed Beaver County Water Treatment Plant.

WA4-1016, Water Allocations. Center Township Water Authority, 224 Center Grange Road, Aliquippa, PA 15001, **Beaver County**. The right to withdraw 3 million gallons of water per day, peak month (30-day average) until a water supply permit is issued to operate at 5 million gallons of water per day, peak month (30-day average).

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

Southwest Regional Office, Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412-442-4000.

Plan Location: Single Residence Sewage Treatment Plant at 110 Hamilton Drive, Sewickley, PA 15143

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bell Acres Borough	1153 Camp Meeting Road Sewickley, PA 15143	Allegheny

Plan Description: The approved plan provides for the installation of a Single Residence Sewage Treatment Plant at 2436 Henry Road, Sewickley, PA 15143 to remedy an existing malfunction. The proposed discharge is to an unnamed tributary of Rippling Run designated under Chapter 93 as a Trout Stock Fisheries. This approval was granted in part based on the Department's Water Quality Antidegradation Implementation Guidance policy. The approved sewage facility plan, evaluated all non-discharge alternatives and determined no environmentally sound and cost effective non-discharge alternative is available under subsection (b)(1)(i)(A.).

The Department's review of the sewage facility plan has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the homeowner.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Under the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. 717-705-4707.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Silver Spring Township	8 Flowers Drive Mechanicsburg, PA 17050	Cumberland

Plan Description: The planning module for Escambia Properties—Linda Drive, DEP Code No. A3-21925-130-2, APS Id 911051, consisting of 3 new residential lots using individual Small Flow Treatment Facilities, is disapproved. The proposed development is located at Linda Drive. This plan is disapproved because Department staff has determined that perennial conditions do not exist at the locations of the proposed discharges. Perennial conditions were determined to exist at the point where the channel crosses Pleasant Grove Road. In accordance with Chapter 71, Section 71.52(a)(6), it will be necessary to secure easements to discharge through all properties to the point where perennial conditions were determined to exist in order to gain approval.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to

document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Michelle Bell, 136 Spruce Street, Lewisburg Borough, **Union County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857 on behalf of Michelle Bell, 136 Spruce Street, Lewisburg, PA 17837 submitted a Final Report concerning remediation of site soils contaminated with Heating Oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915

Paul Cecil Residence, 30 Montgomery Avenue, West Pittston Borough, **Luzerne County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance Company, PO Box 106169, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, MTBE, Naphthalene, 1,2,4-trimethylbenzene, and 1,3,5-trimethylbenzene. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Trinity Industries Plant 102N RR Cars Manufacturing, 60 Union Street, Borough of Greenville, **Mercer County**. Golder Associates, Inc., 200 Century Parkway, Suite C, Mount Laurel, NJ 08054, on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207, submitted a Final Report concerning the remediation

tion of site soils contaminated with antimony, arsenic, cadmium, chromium, iron, lead, manganese, mercury, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 2,4-dinitrotoluene, benzo[a]pyrene, ethylbenzene, methylene chloride, tetrachloroethene, trichloroethene, total xylenes, vinyl chloride, and PCB Aroclor 1232. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Damascus Tube, 795 Reynolds Industrial Park Road, Pymatuning Township, **Mercer County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110, on behalf of Greenville-Reynolds Development Corporation, 301 Arlington Drive, Greenville, PA 16125, submitted a Remedial Investigation Report/Risk Assessment Report/Cleanup Plan concerning the remediation of site soil contaminated with arsenic, lead, manganese, nickel, PCE, TCE and site groundwater contaminated with 1,1-dichloroethane, 1,1-DCE, cis-1,2-DCE, PCE, 1,1,1-trichloroethane, 1,1,2-trichloroethane, TCE, and vinyl chloride. The report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745

41st and Foster Street Site, 41st and Foster Street, City of Pittsburgh, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Cat II LP, 141 41st Street, Suite C-4, Pittsburgh, PA 15201 has submitted a Remedial Investigation Report/Risk Assessment/Cleanup Plan concerning soils contaminated with volatile organic compounds (VOCs), semi-volatile organic compounds and metals, and groundwater contaminated with VOCs. Notice of the RIR/RA/CP was published in the *Tribune-Review* on June 4, 2016.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995 PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate

and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701.

Bellefonte Waterfront Development Project, 129 Dunlap Street, 130 Dunlap Street and 315 West High Street, Bellefonte Borough, **Centre County**. Buchart Horn, Inc., 445 West Philadelphia Street, York, PA 17404, on behalf of Bellefonte Area Industrial Development Authority (BAIDA), 236 West Lamb Street, Bellefonte, PA 16823 submitted a combined Remedial Investigation Report/Final Report concerning the remediation of site soil and groundwater contaminated with inorganic and semi-volatile organic compounds. The Final Report demonstrated attainment of the Site Specific Standard, and the reports were approved by the Department on June 22, 2016.

Mr. Paul Clossen Property/Ms. Jeanne Roadarmel Property, 327 Orchard Drive, Franklin Township, **Columbia County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Mr. Paul Clossen, 327 Orchard Drive, Catawissa, PA 17820 submitted a Final Report concerning the remediation of site soils contaminated with kerosene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on May 25, 2016.

Northeast Region: Eric Supey, Environmental Cleanup & Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Sobiech Residence, 33 Drinker Street, Montrose Borough, **Susquehanna County**. Resource Environmental, 50 Maple Street, Montrose, PA 18801 on behalf of Stephen and Renee Sobiech, 33 Drinker Street, Montrose, PA 18801, submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, MTBE, Naphthalene, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on June 27, 2016.

Air Products and Chemicals Incorporated—Wilkes-Barre Facility, 827 San Souci Parkway, Hanover Township, **Luzerne County**. Leidos, Inc., 6310 Allentown Boulevard, Suite 110, Harrisburg, PA 17112, on behalf of Air Products and Chemicals, Inc., 7201 Hamilton Boulevard, Allentown, PA 18195, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with Benzene, Trichloroethylene, Benzo(a)pyrene, 2,4-dinitrotoluene, Naphthalene, Lead, 1,2-Dichloroethane, Trichloroethylene, 1,1-Dichloroethene, Chrysene, Benzo(k)fluoranthene, Benzo(g,h,i)perylene, Benzo(a)pyrene, Indeno(1,2,3-cd)pyrene, and vinyl chloride. The Final Report demonstrated attainment of the Site Specific Standard, and was approved by the Department on June 28, 2016.

Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.

Former Kemp Foods, Inc., 1801 Hempstead Road, Lancaster, PA 17601, City of Lancaster, **Lancaster County**. B & B Diversified Enterprises, Inc., P.O. Box 70, Barto, PA 19504, on behalf of HP Hood LLC, Six Kimball Lane, Lynnfield, MA 01940, submitted a Remedial Investigation, Risk Assessment, and Final Report concerning remediation of site soils and groundwater contaminated with PCBs, PAHs, VOCs and SVOCs. The combined Reports did not demonstrate attainment of the Site Specific Standard, and was disapproved by the Department on June 27, 2016

Starr Cline Residence, 113 Lynmar Avenue, Palmyra, PA 17078, South Londonderry Township, **Lebanon County**. Skelly and Loy, Inc., 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Goodville Mutual Casualty, 625 West Main Street, New Holland, PA 17557, and Starr Cline, 113 Lynmar Avenue, Palmyra, PA 17108 submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department on June 27, 2016.

Former Columbia Petroleum Corporation AOC-3, 25 Abbie Road, York, PA 17404, West Manchester Township, **York County**. Patriot Environmental Management, LLC, 21 Unionville Road, P.O. Box 629, Douglassville, PA 19518, on behalf of Former Columbia Petroleum Corporation, 290 West Nationwide Boulevard, Columbus, OH 43215 submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The combined report did not demonstrate attainment of the Residential Statewide Health and Site Specific Standards, and was disapproved by the Department on June 28, 2016.

Northwest Elementary School/Lebanon School District, Old Forge Road, Lebanon, PA 17042, City of Lebanon, **Lebanon County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of Lebanon School District, 1000 South 8th Street, Lebanon, PA 17042 and Aspens, Inc., 411 Chestnut Street, Lebanon, PA 17042 submitted a Cleanup Plan for site soils contaminated with metals and SVOCs. The Plan was approved by the Department on June 28, 2016.

Caner Transport Diesel Fuel Spill, 1631 West Philadelphia Avenue, Boyertown, PA 19519, Earl Township, **Berks County**. Taylor GeoServices, 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073, on behalf of Caner Transport, 104 Crider Avenue, Mt. Laurel, NJ

08057, and Jill and Dennis Stanisewski, 1343 Stag Drive, Auburn, PA 17922 submitted a Final Report concerning remediation of site soils and groundwater contaminated with diesel fuel from a vehicular accident. The Final Report did not demonstrate attainment of the Residential Statewide Health Standard, and was disapproved by the Department on June 30, 2016.

Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Christian H. Buhl Legacy Trust Site, 745 East State Street, City of Sharon, **Mercer County**. Environmental Geo-Services, 678 Georgetown Road, Hadley, PA 16130 on behalf of Christian H. Buhl Legacy Trust, 7 West State Street, Suite 208, Sharon, PA 16146, submitted a Remedial Investigation, Risk Assessment, and Final Report concerning the remediation of site soil and site groundwater contaminated with 1,2,4-Trimethylbenzene, 1,2-Dibromoethane, 1,2-Dichloroethane, 1,3,5-Trimethylbenzene, Benzene, Cumene, Ethylbenzene, Lead, Naphthalene, Toluene, and Xylenes. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on June 30, 2016.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management (35 P.S. §§ 6018.101–6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 69170, Harrisburg, PA 17106-9170.

Hazardous Waste Transporter License Voluntarily Terminated

Precision Industrial Maintenance, Inc., 1710 Erie Boulevard, Schenectady, NY 12308. License No. PA-AH 0804. Effective Jun 29, 2016.

Hazardous Waste Transporter License Reissued

Allstate Power Vac, Inc., 928 E Hazelwood Avenue, Rahway, NJ 07065. License No. PA-AH 0339. Effective June 27, 2016.

New Applications Received

Allied Environmental Services of NY, LLC, 19 Ransier Drive, West Seneca, NY 14224. License No. PA-AH 0845. Effective Jun 28, 2016.

Payne, Inc., 10411 Hall Industrial Drive, Fredericksburg, VA 22408. License No. PA-AH 0846. Effective Jun 30, 2016.

South Penn Resources, LLC, 570 East Main Street, McClellandtown, PA 15458. License No. PA-AH 0844. Effective Jun 22, 2016.

Renewal Applications Received

Allstate Power Vac, Inc., 928 E Hazelwood Avenue, Rahway, NJ 07065. License No. PA-AH 0339. Effective June 27, 2016.

Altom Transport, Inc., 1646 Summer Street, Hammond, IN 46320. License No. PA-AH 0693. Effective Jun 30, 2016.

McVac Environmental Services, Inc., 481 Grand Avenue, New Haven, CT 06513. License No. PA-AH 0801. Effective Jul 01, 2016.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920.

GP3-46-0138: Tamco Constructions, Inc (539 E Dark Hollow Road, Pipersville, PA 18947) On June 30, 2016, to operate a portable crusher located in Lower Gwynedd Township, **Montgomery County**.

GP9-46-0090: Tamco Constructions, Inc (539 E Dark Hollow Road, Pipersville, PA 18947) On June 30, 2016, to operate a diesel-fired internal combustion engine located in Lower Gwynedd Township, **Montgomery County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531.

GP1-35-011: Dempsey Uniform & Linen Supply (1200 Mid Valley Drive, Jessup, PA 18434) on June 2, 2016, for the installation and operation of a new boiler at the site located in Jessup Borough, **Lackawanna County**.

GP3-35-013: E.R. Linde Corporation (9 Collan Park, Honesdale, PA 18431) on June 27, 2016, for the operation of a portable stone crushing plant at Jessup Borough, **Lackawanna County**.

GP3-48-008A: New Enterprise Stone & Lime Co. d/b/a Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) on June 27, 2016, for the operation of a portable stone crushing plant at the facility located in Lower Mount Bethel Township, **Northampton County**.

GP9-48-008A: New Enterprise Stone & Lime Co. d/b/a Eastern Industries, Inc. (4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034) on June 27, 2016, for the operation of I C Engines at the facility located in Lower Mount Bethel Township, **Northampton County**.

GP11-35-013: E.R. Linde Corporation (9 Collan Park, Honesdale, PA 18431) on June 27, 2016, for the operation of I C Engines at Jessup Borough, **Lackawanna County**.

GP3-35-011: Meshoppen Stone, Inc. (PO Box 127, Frantz Road, Meshoppen, PA 18630) on June 13, 2016, for the construction and operation of a Portable Crushing Operation with watersprays located at the Scranton Materials site located in Newton and Ransom Townships., **Lackawanna County**.

GP9-35-011: Meshoppen Stone, Inc. (PO Box 127, Frantz Road, Meshoppen, PA 18630) on June 13, 2016, for the installation and operation of Diesel I/C engines located at the Scranton Materials site located in Newton and Ransom Townships., **Lackawanna County**.

GP3-35-012: Popple Construction Inc. (215 E. Saylor Avenue, Laflin, PA 18702) on June 20, 2016, for the construction and operation of a Portable Crushing

Operation with watersprays at the Lackawanna Energy Center located in Jessup Borough, **Lackawanna County**.

GP11-35-012: Popple Construction Inc. (215 E. Saylor Avenue, Laflin, PA 18702) on June 20, 2016, for the installation and operation of Diesel I/C engines at the Lackawanna Energy Center located in Jessup Borough, **Lackawanna County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

GP1-06-03169: St. Joseph Regional Health Network (145 North Sixth Street, Reading, PA 19603) on June 23, 2016, for two existing natural gas-fired boilers, 20.23 MMBtus each, at the Downtown Community Campus Hospital facility located in the City of Reading, **Berks County**.

GP1-67-03072A: Kleen Tech, Inc. (PO Box 1369, Hickory, NC 28603) on June 24, 2016, for one existing natural gas-fired boiler, 12.553 MMBtus, at the facility located in West Manchester Township, **York County**. The general permit was re-issued to reflect a change of ownership.

GP1-22-03067A: Milton Hershey School (1201 Homestead Lane, PO Box 830, Hershey, PA 17033) on June 27, 2016, for two existing natural gas-fired boilers, 16.3 MMBtus each, at the Hotel Road campus of the Milton Hershey School located in Derry Township, **Dauphin County**. The general permit authorization was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Program Manager, 570-327-3648.

GP3-08-330E: TMT Gravel & Contracting, Inc. (1609 Pennsylvania Avenue, Pine City, NY 14871) on June 21, 2016, to authorize the construction and of a Pegson model XA750 portable crushing plant, a Pegson model XH500 portable crushing plant, a Terex Powerscreen Chieftain 2100 portable screening plant and a Powerscreen Warrior 2400 portable screening plant pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Brown Quarry facility in Wells Township, **Bradford County**.

GP11-08-330E: TMT Gravel & Contracting, Inc. (1609 Pennsylvania Avenue, Pine City, NY 14871) on June 21, 2016, to authorize the construction and operation of a 400 brake-horsepower Caterpillar model 8CPXL12.5ESX diesel engine, a 400 brake-horsepower Caterpillar model 8CPXL12.5ESK diesel engine, a 100 brake-horsepower Deutz model 6DZXL06.1038 diesel engine and a 192 brake-horsepower Deutz model ADZXL06.1057 diesel engine pursuant to the General Plan Approval and General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at the Brown Quarry facility in Wells Township, **Bradford County**.

GP4-18-01: First Quality Nonwovens (101 Green Mountain Road Hazleton, PA 18202), issued June 30, 2016, for the operation of a burn-off oven pursuant to the General Plan Approval & General Operating Permit

Application (BAQ-GPA/GP-4), at their facility located in Wayne Township, **Clinton County**.

Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

07-05001F: Appvion Inc. (100 Paper Mill Road, Roaring Spring, PA 16673) on June 28, 2016, for the following activity at the Spring Mill located in Roaring Spring Borough, **Blair County**:

1. Installation of a wet electrostatic precipitator (Source ID C036) to further control particulate matter (PM) emissions from the No. 3 Power Boiler (Source ID 036) in order to comply with 40 CFR Part 63, Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters (MACT Subpart DDDDD);

2. Modification of the existing venturi wet scrubber (Source ID C17) that controls PM and HCl emissions from the No. 3 Power Boiler; and

3. Construction of a fly ash handling system (Source ID 201) consisting of a fly ash storage silo whose PM emissions will be controlled by a bin vent collector (Source ID C201).

06-03167A: Walbert Funeral Home & Cremation Services, PC (14390 Kutztown Road, Fleetwood, PA 19522) on June 27, 2016, for the installation of a human crematory controlled by an afterburner at the Walbert Funeral Home located in Richmond Township, **Berks County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

14-00042A: Cintas Corporation (27 Whitney Drive, Milford, OH 45150) on June 27, 2016, for the construction and operation of a shop towel laundering operation consisting four electrically operated washers, three natural gas fired dryers and a laundry waste water system at State College facility located in College Township, **Centre County**.

53-00019A: Anchor Energy, LLC (N. Shore Place I, 358 N. Shore Dr., Ste. 201, Pittsburgh, PA 15212) on June 28, 2016, to construct three (3) 9,708 bhp (7.2 MWs) 4 stroke, lean burn Rolls Royce Bergen B-35:40-V16AG-2 natural gas-fired engine/generator sets, each equipped with both catalytic oxidation and selective catalytic reduction (SCR), at the proposed electric generating station located in Hebron Township, **Potter County**. The facility will also include one (1) 0.64 MMBtu/hour natural gas-fired natural gas line heater; three (3) storage tanks ranging in size from 2,600 gallons to 6,000 gallons; one

(1) desiccant dehydration system; various fugitive emissions. If the Department determines that the sources are constructed and operated in compliance with the plan approval conditions and the specifications of the application for Plan Approval 53-00019A, the applicant will subsequently apply for a State Only Operating Permit in accordance with 25 Pa. Code Subchapter F.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920.

46-0027D: Janssen Research & Development LLC (Welsh Road and McKean Road, Spring House, PA 19477) On June 30th 2016, to extend the replacement and installation of new burners on two (2) existing boilers, in Lower Gwynedd Township, **Montgomery County**.

09-0227: Central Bucks Crematory (344 N. Main Street, Doylestown, PA 18901-3715) On June 30, 2016, to extend the temporary operation of a human crematory in Doylestown Borough, **Bucks County**.

23-0222: Williams Lombardo Funeral Home (33 W Baltimore Ave, 33 W Baltimore Ave, Clifton Heights, PA 19018) On June 30, 2016, to extend the temporary operation of animal crematory in Clifton Heights Borough, **Delaware County**.

15-0110B: Pepperidge Farm Inc. (421 Boot Road, Downingtown, PA 19353) On June 30, 2016 to extend the installation and operation of the manufacturing bread and cake products at the facility located in Downingtown Borough, **Chester County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-05002E: Armstrong Flooring, Inc. (1067 Dillerville Road, Lancaster, PA 17604) on June 29, 2016, for installation of a new luxury vinyl tile line at their flooring plant in the City of Lancaster, **Lancaster County**. The LVT line will consist of raw material storage and handling, blanket forming, lamination, sizing, coating and curing, and edge detailing. The plan approval was extended with a compliance schedule.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Contact: Edward Orris, P.E., Environmental Engineer Manager—Telephone: 412-442-4161.

PA-04-00699G: National Gypsum Company, Inc. (P.O. Box 346, Shippingport, PA 15077-0346) Plan Approval Extension issuance date effective June 28, 2016, for 180 days to obtain Plan Approval and Operating Permit for their NGC facility located in Shippingport Borough, **Beaver County**.

Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

23-00023: United Parcel Service (1 Hog Island Road, Philadelphia, PA 19153) On June 30, 2016, for the renewal of a Title V Operating Permit for the operation of a Distribution and Transportation Facility located in Tinicum Township, **Delaware County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507.

35-00024: Keystone Recovery, Inc. (1150 Keystone Ind Park, Throop, PA 18512) issued on June 27, 2016, for operation in Throop Borough, **Lackawanna County**. The sources consist of seven (7) landfill gas-fired generators and one (1) gas recovery/generating station. The permittee shall demonstrate compliance through emission limitations, fuel type, and fuel usage restrictions. The proposed operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

36-03147: A&M Composting, Inc. (2022 Mountain Road, Manheim, PA 17545-9517) on June 24, 2016, for the sewage sludge composting facility located in Penn Township, **Lancaster County**. The State-Only Permit was renewed.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

41-00068: Keystone Leather Distributors, LLC (2100 Reach Road, Williamsport, PA 17701-8783) on June 28, 2016, was issued a renewal State-Only Operating Permit for their Williamsport/Reach Road Plant located in the City of Williamsport, **Lycoming County**. The State-Only Operating Permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401.

Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

46-00180: Transicoil LLC (9 Iron Bridge Drive, Collegeville, PA 19426). On June 20, 2016, for a minor modification to the State Only Operating Permit for changing responsible official and permanent removal of the two (2) acid passivation tanks located at its Dock Facility located in Falls Township, **Bucks County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4862, Virendra Trivedi, New Source Review Chief, 717-705-4863, or William Weaver, Regional Air Quality Manager, 717-705-4702.

67-05004: P.H. Glatfelter Company (228 S. Main Street, Spring Grove, PA 17362) On June 23, 2016, for a minor modification to Title V Operating Permit for the pulp and paper mill located in Spring Grove Borough, **York County**. The operating permit was modified to require that the permittee permanently cease operation of the No. 1 Power Boiler (Source ID 035) by no later than January 31, 2017. This will result in the elimination of the air emissions previously emitted by that unit.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701.

Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.

08-00010H: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on July 1, 2016, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from August 13, 2016, to February 9, 2017, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481.

Contact: Dave Balog, New Source Review Chief or Matt Williams, Facilities Permitting Chief—Telephone: 814-332-6340.

42-00004: American Refining Group (77 North Kendall Ave., Bradford, PA 16701) for their installation of one 571,068 gallon fixed roof above ground storage tank. The diesel storage tank will be located at their facility located in the City of Bradford, **McKean County**. The facility currently operates under Title V operating permit 42-00004.

The Department hereby approves the De Minimis emission increase as it complies with 25 Pa. Code § 127.449 and is exempt from plan approval. It is the Department's understanding that the proposed changes will not affect any other existing air emission units, will not alter the facility's annual production rate or throughput, and will not violate any emission restrictions of their current operating permit. The following table is a list of the De Minimis emission increases as required by 25 Pa. Code 127.449(i). This list includes the De Minimis emission increases since the State Only Operating Permit (42-00004) was issued on October 5, 2011.

<i>Date</i>	<i>Source</i>	<i>PM₁₀ (tons)</i>	<i>SO_x (tons)</i>	<i>NO_x (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
11-20-11	Tanks 95, 96, 97, 3013, & 3014	-	-	-	3.05e-06	-
03-07-12	Tanks 99 and 262	-	-	-	0.0005	-
12-14-12	Ground Water Remediation Equipment	-	-	-	0.77	-
02-07-13	120 kW Emergency Generator	0.01	0.02	0.26	0.01	0.06
06-07-13	80 bhp emergency generator	0.0055	0.00014	0.11	0.005	0.015
12-31-13	2 Brine Storage Tanks	-	-	-	0.67	-
11-25-15	FGRU	0.00096	0.00111	0.26	0.156	0.065
04-27-16	Cooling Tower	0.33	-	-	0.11	-
06-27-16	Diesel Storage Tank, 571,068 gallons	-	-	-	0.25	-
Total Reported Increases		0.35	0.021	0.63	1.97	0.14
Total Allowable		0.6 ton/source 3 tons/facility	1.6 ton/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P.S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1002).

Coal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 32990109 and NPDES No. PA0235148. Bedrock Mines, LP, 111 Freeport Road, Pittsburgh, PA 15215, permit renewal for reclamation only of a bituminous surface and auger mine in Washington Township, **Indiana County** affecting 59.9 acres. Receiving streams: unnamed tributaries to/and Sugarcamp Run classified for the following uses: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: November 23, 2015. Permit issued: June 22, 2016.

Permit No. 11110101 and NPDES PA0263141. KB Coal, Inc., 163 Colonial Avenue, Mt. Carmel, PA 17851 renewal for reclamation only of a bituminous surface mine in Clearfield Township, **Cambria County**, affecting 28 acres. Receiving streams: unnamed tributaries to Clearfield Creek and unnamed tributaries to Indian Creek classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 25, 2016. Permit issued: June 23, 2016.

Permit No. 5679123 and NPDES No. PA0599166. Rosebud Mining Co., P.O. Box 157, Meyersdale, PA 15552, renewal of NPDES permit in Southampton Township, **Somerset County**. Receiving streams: unnamed tributary to/and Shoemaker Run, classified for the following uses: high quality coal water fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 28, 2015. Permit issued: June 28, 2016.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

17080103 and NPDES PA 0256722. Corey L. Shawver DBA Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651). Revision to change land use from forestland to pastureland on an existing bituminous surface and auger mine located in Bigler and Gulich Townships, **Clearfield County** affecting 320.7 acres. Receiving stream(s): Little Muddy Run, Unnamed Tributaries to Little Muddy Run, and Unnamed Tributaries to Muddy Run classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: April 13, 2016. Permit issued: June 27, 2016.

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

26773025 and NPDES Permit No. PA0079031. Charles L. Swenglish & Sons Coal Co., Inc. (2 Swenglish Lane, Smithfield, PA 15478). Permit renewal issued for reclamation only to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 166.2 acres. Receiving stream: South Branch Browns Run. Application received: September 8, 2014. Renewal permit issued: July 1, 2016.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 54000103R3. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 250.8 acres, receiving stream: Schuylkill River. Application received: December 8, 2016. Renewal issued: June 29, 2016.

Permit No. 54000103C. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), correction to update the post-mining land use of an existing anthracite surface mine and coal refuse disposal operation in Blythe Township, **Schuylkill County** affecting 250.8 acres, receiving stream: Schuylkill River. Application received: December 8, 2016. Renewal issued: June 29, 2016.

Permit No. 54000103GP104R. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54000103 in Blythe Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: December 8, 2016. Renewal issued: June 29, 2016.

Permit No. 19860101R6. Jac-Mar Coal Co. t/a L & E Coal, (PO Box 353, Cresco, PA 18326), renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County** affecting 190.0 acres, receiving stream: Big Min Run. Application received: April 26, 2016. Renewal issued: June 29, 2016.

Permit No. 19860101GP104R. Jac-Mar Coal Co. t/a L & E Coal, (PO Box 353, Cresco, PA 18326), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 19860101 in Conyngham Township, **Columbia County**, receiving stream: Big Mine Run. Application received: April 26, 2016. Renewal issued: June 29, 2016.

Permit No. 54900203R5. Wheelabrator Culm Services, Inc., (4 Liberty Lane West, Hampton, NH 03842), renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 670.7 acres, receiving stream: Mill Creek. Application Received: March 28, 2016. Renewal issued: July 1, 2016.

Permit No. 54900203R5. Wheelabrator Culm Services, Inc., (4 Liberty Lane West, Hampton, NH 03842), renewal of General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54900205 in Mahanoy Township, **Schuylkill County**, receiving stream: Mill Creek. Application received: March 28, 2016. Permit issued: July 1, 2016.

Noncoal Permits Issued

Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900.

Permit No. 56162801-GP104. Black Resources, Inc., 162 Cumberland Street, Berlin, PA 15530. General NPDES Permit for stormwater discharges associated with mining activities on noncoal Permit No. SNC 56162801 located in Somerset Township, **Somerset County**. Receiving stream: unnamed tributary to Kimberly Run classified for the following use: cold water fishes. There are no potable water supply intakes within 10 miles downstream. Notice of Intent for Coverage received: March 23, 2016. Coverage approved: June 27, 2016.

Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191.

37980305-GP-104. Slippery Rock Materials, Inc. (704 Golf Course Road, Volant, PA 16156) Renewal of General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 37980305 in Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run. Application received: June 3, 2016. Permit Issued: June 29, 2016.

43110301-GP-104. Three Rivers Aggregates, LLC (1807 Shenango Road, New Galilee, PA 16141) Renewal of General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 43110301 in Jefferson Township, **Mercer County**. Receiving streams: Unnamed tributary to Daley Run and unnamed tributary to Little Neshannock Creek. Application received: June 16, 2016. Permit Issued: June 29, 2016.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

08162501GP-104. Anthony P. Bennett (3657 Old Stagecoach Rd, Wyalusing PA 18853), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with General Permit-105 No. 08162501 to the following surface water(s) in Pike Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Williams Creek. Application received: February 2, 2016. Permit issued: June 24, 2016.

08080808. Gregg Trecoske (1395 W. Wilkes-Barre Turnpike, Montrose, PA 18801). Final bond release for a small industrial minerals surface mine, located in Warren Township, **Bradford County**. Restoration of 2.0 acres completed. Receiving stream(s): Bennett's Branch. Application received: June 20, 2016. Final bond release approved: June 29, 2016.

53112802 and NPDES PA0257656. Stanley, Gary, and Dave Goodwin DBA Goodwin & Sons (1815 US RT 6 West, Roulette, PA 16746). NPDES renewal for continue operation and reclamation of a small noncoal surface mine site located in Roulette Township, **Potter County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to the Allegheny River. Application received: February 25, 2016. Permit issued: June 24, 2016.

53160801. Scott Fessenden (2060 SR 49 West, Ulysses, PA 16948). Commencement, operation, and restoration of a small noncoal industrial mineral (flagstone) permit in Hebron Township, **Potter County** affecting 1.0 acre. Receiving stream(s): Oswayo Creek. Application received: April 19, 2016. Permit Issued: June 24, 2016.

08152801. Robert Johnson Flagstone, Inc. (3658 Old Stagecoach Rd, Wyalusing, PA 18853). Commencement, operation, and restoration of a small noncoal

industrial mineral (bluestone) permit in Pike Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Johnson Creek. Application received: October 21, 2015. Permit issued: June 24, 2016.

08152801GP-104. Robert Johnson Flagstone, Inc. (3658 Old Stagecoach Rd, Wyalusing, PA 18853). General NPDES permit for stormwater discharge associated with mining activities on surface mining permit No. 08152801 in Pike Township, **Bradford County**. Receiving stream(s): Johnson Creek. Application received: October 21, 2015. Permit issued: June 24, 2016.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 22010302C3 and PA0124061. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3274 Crescent Court West, Suite 200, Whitehall, PA 18052), correction of an existing quarry operation to merger SMP No. 7175SM2 into SMP No. 22010302 for a total of 155.0 permitted acres and renew NPDES Permit for discharge of treated mine drainage in Washington and Jackson Townships, **Dauphin County**, receiving streams: Wiconisco and Armstrong Creeks. Application received: October 2, 2015. Correction issued: June 30, 2016.

Permit No. 13760301C7 and NPDES Permit No. PA0124214. New Enterprise Stone & Lime Co., Inc. d/b/a Eastern Industries, Inc., (3274 Crescent Court West, Suite 200, Whitehall, PA 18052), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Townmensing Township, **Carbon County** affecting 137.5 acres, receiving stream: unnamed tributary to Aquashicola Creek. Application received: February 1, 2016. Renewal issued: June 30, 2016.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500.

02164102. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction at the USA South Hills Landfill, located in South Park Township, **Allegheny County** with an exploration date of December 31, 2017. Blasting permit issued: June 22, 2016.

Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118.

Permit No. 22164105. Abel Construction Co., Inc. (PO Box 476, Mountville, PA 17554), construction blasting for The Point in Derry Township, **Dauphin County** with an expiration date of December 7, 2016. Permit issued: June 28, 2016.

Permit No. 36164136. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Smoker Meats in Strasburg Township, **Lancaster County** with an expiration date of August 30, 2016. Permit issued: June 28, 2016.

Permit No. 36164137. Maine Drilling & Blasting, Inc., (PO Box 1140, Gardiner, ME 04345), construction

blasting for 1204 Woodruff Lane in East Hempfield Township, **Lancaster County** with an expiration date of June 28, 2017. Permit issued: June 29, 2016.

Permit No. 39164101. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Liberty at Spring Creek in Lower Macungie Township, **Lehigh County** with an expiration date of June 22, 2017. Permit issued: June 29, 2016.

Permit No. 46164108. Brubacher Excavating, Inc., (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Meadow Glen Development in Skippack Township, **Montgomery County** with an expiration date of June 22, 2017. Permit issued: June 29, 2016.

Permit No. 45164104. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for SRI Development in Jackson Township, **Monroe County** with an expiration date of June 30, 2017. Permit issued: July 1, 2016.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.

E09-1001. Warrington Township, 852 Easton Road, Warrington, PA 18976, Warrington Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 6-foot wide Steel pedestrian Bridge situated along the floodway/floodplain of the tributary B to Little Neshaminy Creek (WWF, MF) and measuring approximately 114 feet in length associated with the existing trail system in the Township. The project also includes the walkway paths along east and west sides of the bridge within the floodplain to connect the existing trails.

The site is located approximately 700 feet southeast of Street Road and Elbow Lane intersection (Ambler, PA USGS Quadrangle, Latitude: 40.238382; Longitude: -75.154471).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E15-877. East Goshen Municipal Authority, 1580 Paoli Pike, West Chester, PA 19380, East Goshen Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain an 8-inch HDPE sanitary force main crossing Chester Creek (TSF). Construction will utilize open cut methods and is being done as a part of the East Goshen Municipal Authority wastewater diversion infrastructure project to reduce flow to the West Goshen Sewage Treatment Plant.

Also, to place and maintain approximately 860 cubic yards of fill within the 100-year floodplain of Chester Creek associated with the construction of a 300 gallon/day sanitary sewer pump station in order to elevate the pump station building and its driveway above the 100-year flood elevation.

The site is located near the intersection of Reservoir and East Strasburg Roads (West Chester, PA, USGS Map, Latitude: 39.9726; Longitude: -75.5482).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E23-526. Agilyx Corporation, 9600 SW Nimbus, Suite 260, Beaverton, OR 97008-7386, Marcus Hook Borough, **Delaware County**, ACOE Philadelphia District.

To redevelop and maintain an existing industrial site, partially located within the floodway and floodplain of the Marcus Hook Creek (WWF, MF). The project is associated with the facility that converts pre-processed recycled plastics into synthetic oil.

The site is located near 401 Penn Avenue (Marcus Hook, PA USGS Quadrangle latitude: 39.817824, longitude: -75.409009).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

E09-1004. BCP Property, LLC and Playhouse Inn Property, LLC, New Hope Borough, 55 Bridge Street, Lambertville, NJ 08530-2115, New Hope Borough, **Bucks County**, ACOE Philadelphia District.

To expand and maintain the existing Bucks County Playhouse & Promenade situated along the floodway/floodplain of the Delaware River (WWF, MF) and measuring approximately 145 feet in length and 7 feet wide associated with the Playhouse Promenade Improvements. The improvements also include open terrace, gravel area, enclosed deck, and public access link, stormwater outfall within floodway etc.

The site is located at 50 & 70 South Main Street (Lambertville, PA USGS Quadrangle, Latitude: 40.36248; Longitude: -74.950835).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.

E22-624: Steelton Borough Authority, 123 North Front Street, Steelton, PA 17113 in Steelton Borough, **Dauphin County**, U.S. Army Corps of Engineers Baltimore District.

To install a 43-foot diameter chlorine contact tank and related facilities, measuring approximately 1.452 ft, at the existing water treatment plant within the 100-year floodplain of the Susquehanna River (WWF, MF) (Steelton Quadrangle 40° 14' 1.5" N, 76° 50' 54" W) disturbing approximately 0.31 of an acre with no wetland impacts.

Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, 16335.

E20-595, Raymond J. Slater, III, 11934 Conneaut Lake Road, Conneaut Lake, PA 16316. Silver Shores Restaurant Dock Major Amendment, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41°, 36', 13"; W: -80°, 17', 53").

Permit No. 12983 (issued August 19, 1958) authorized the construction and maintenance of a boat dock extending approximately 75 feet from the water's edge on Conneaut Lake (HQ-WWF) at a point approximately 292 feet east of the Conneaut Lake outlet. The permit has been amended to authorize the permittee to relocate, reconstruct, operate, and maintain docks adjacent to Silver Shores Restaurant in Conneaut Lake including one floating dock measuring approximately 5 feet wide extending 43 feet from the water's edge located approximately 260 feet east of the eastern side of the lake outlet and one floating dock measuring approximately 5 feet wide and extending approximately 134 feet from the water's edge with four 5-foot wide by 15-foot long floating laterals spaced along the western side connected to the shoreline approximately 17 feet west of the eastern property line.

ENVIRONMENTAL ASSESSMENTS

Central Office: Attention: Jack Rokavec, Civil Engineer Manager, P.O. Box 69205, Harrisburg, PA 17106.

EA1710-003. Pennsylvania Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project in Cooper Township, **Clearfield County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 14,250 linear feet of dangerous highwall. The project will include the backfilling of 2.62 acres of open water/wetlands with poor water quality, 0.12 acre of open water with good water quality and 0.40 acre of wetlands with good water quality that have developed within the open surface mine pits. A 0.40 acre mitigation wetland will be constructed onsite. (Black Moshannon Quadrangle N: 41°0'4", W: 78°4'52").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be

sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<i>ESCGP-2 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESG0012515008-1	Columbia Gibraltar Gathering, LLC 5151 Felipe Road Suite 2400 Houston, TX 77056	Washington County	Donegal Township, West Finley Township, and Buffalo Township	UNT to Buck Run (HQ-WWF), UNT to Dutch Fork (HQ-WWF), Dutch Fork (HQ-WWF), UNT to Bonar Creek (HQ-WWF), Bonar Creek (HQ-WWF), UNT to Middle Wheeling Creek (WWF), UNT to Blockhouse Run (WWF), UNT to Robinson Fork (WWF), UNT to Beham Run (WWF), Beham Run (WWF), UNT to Spotted Tail Run (WWF), Robinson Fork (WWF), Enlow Fork (TSF), and UNT to Buffalo Creek (HQ-WWF)

Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701

ESCGP-2 # ESG29-131-16-0004

Applicant Name Chesapeake Appalachia LLC

Contact Person Brian Davis

Address 14 Chesapeake Lane

City, State, Zip Sayre, PA 18840

County Wyoming

Township(s) Windham

Receiving Stream(s) and Classification(s) Roaring Run (CWF)

Secondary—Susquehanna River (WWF)

ESCGP-2 # ESX29-115-16-0022

Applicant Name Cabot Oil & Gas Corp

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275-1121

County Susquehanna

Township(s) Brooklyn

Receiving Stream(s) and Classification(s) UNTs to Hop Bottom Ck (CWF)

Secondary—Hop Bottom Ck (CWF)

ESCGP-2 # ESX29-115-16-0024

Applicant Name Cabot Oil & Gas Corp

Contact Person Kenneth Marcum

Address 2000 Park Lane, Suite 300

City, State, Zip Pittsburgh, PA 15275-1121

County Susquehanna

Township(s) Auburn

Receiving Stream(s) and Classification(s) UNTs to Riley Ck (CWF)

Secondary—Riley Ck (CWF)

ESCGP-2 # ESX29-115-16-0009

Applicant Name Williams Field Services Co LLC

Contact Person Lauren Miladinovich

Address Park Place Corp Ctr 2, 2000 Commerce Dr

City, State, Zip Pittsburgh, PA 15275-1026

County Susquehanna

Township(s) Bridgewater & Jessup

Receiving Stream(s) and Classification(s) S Branch of

Wyalusing Ck (CWF-MF) and UNTs thereto; Tributary to White Creek (CWF-MF)

SPECIAL NOTICES

Minor State Only Operating Permit

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543. Contact: Edward Wiener, Chief of Source Registration, 215-685-9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

OP16000002: The Comcast Center (1701 John F. Kennedy Blvd, Philadelphia, PA 19103), for the operation of a data center in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include one (1) 2,919 horsepower (hp) diesel fuel fired emergency generator (EG1), one (1) 240 hp diesel fuel fired fire pump (FP1), one (1) 275 hp diesel fuel fired fire pump (FP2), and one (1) 460 hp diesel fuel fired fire pump (FP3).

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543. Contact: Edward Wiener, Chief, Source Registration at 215 685 9426.

The City of Philadelphia, Air Management Services (AMS) has intent to renew a Minor State Only Operating Permit for the following facility:

N16-000004: Overbrook School for Blind (6333 Malvern Ave, Philadelphia, PA 19151) for operation of a school in the City of Philadelphia, **Philadelphia County**. The facility emission sources are the following; two (2) 9,625,500 MMBTUs/hr each boiler firing No. 2 Fuel Oil/NG and a 200 kw emergency generator.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543. Contact: Edward Wiener, Chief, Source Registration at 215 685 9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

S16-003: PA Convention Center Annex (111 N Broad St, Philadelphia, PA 19107) to install in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include Two (2) 1,750 Kilowatts (KW) Cummins Diesel emergency generator firing No. 2 fuel oil, Two (2) 20.93 MMBTUs/hr Burnham Boiler firing No. 2 fuel oil and natural gas, Two (2) 8.43 MMBTUs/hr Johnson Controls/Power Flame Chillers firing No. 2 fuel oil and natural gas, Two (2) 1.0 MMBTU/hr PVI Industries Hot Water heaters firing natural gas.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA 19104-4543. Contact: Edward Wiener, Chief, Source Registration at 215 685 9426.

The City of Philadelphia, Air Management Services (AMS) intends to issue a Minor State Only Operating Permit for the following facility:

S15-001: Philadelphia Gas Works, Passyunk Station, (3100 Passyunk Avenue, Philadelphia, PA 19145) for the operation of a liquefied natural gas (LNG) storage and distribution facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two heaters each <10 MMBTUs/hr, one emergency generators at 1,250 Hp, two emergency generators at 110 Hp each, one emergency generator at 460 KW, three each 58.8 MBTUs/hr boilers with low NO_x burners, a firewater pump, and a gasoline vehicle fueling system with Stage II vapor recovery.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Any protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are

based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a local newspaper at least thirty days before the hearing.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of June 2016 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P.L. 238, No. 43 (63 P.S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Gerald Aubrey	1517 Daws Rd. Blue Bell, PA 19422	Testing
William Barroner	1275 Larke Rd. Williamsburg, PA 16693	Testing
Troy Baughman	823 W. Weber Ave. DuBois, PA 15801	Testing
Richard Benchoff, Sr. Radon Detection & Control II	PO Box 419 South Heights, PA 15081	Mitigation
Buyers Protection Group	4300 Alexander Dr., Ste. 200 Alpharetta, GA 30022	Testing
James Carney, Jr.	PO Box 595 Horsham, PA 19044	Testing
Don Cessna	407 W. Sample St. Ebensburg, PA 15931	Testing
Spencer Conrad	555 Jamestown St. Philadelphia, PA 19128	Testing
Michael Dean	PO Box 398 Pocono Summit, PA 18346	Testing
Devin Dellinger	PO Box 398 Pocono Summit, PA 18346	Testing
Greg DuPey Pillar To Post	415 Davisville Rd., Ste. 5 Willow Grove, PA 19040	Testing
Erik Funkhouser	145 Dehaven Rd. Beaver Falls, PA 15010	Testing
Dante Galan	2 Hayes St. Elmsford, NY 10523	Laboratory Analysis
Gregory Gibson	PO Box 733 Tannersville, PA 18372	Testing
Vilas Godbole	6314 Hilltop Dr. Brookhaven, PA 19015	Mitigation
Thomas Grove	118 Dolores Dr. Irwin, PA 15642	Testing
Dana Hillerby	PO Box 712 Glenside, PA 19038	Testing
Daniel Horvath	7713 Francis St. Pittsburgh, PA 15218	Testing
Jeffrey Hunt	207 Kirkbrae Rd. Kennett Square, PA 19348	Testing
Kirk Knappman	421 W. Chocolate Ave. Hershey, PA 17033	Testing
Bruce Kollmeyer, Jr.	828 Oak St. Royersford, PA 19468	Mitigation

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
David Konow	1050 Street Rd., # 1640 Southampton, PA 18966	Testing
David Lovic	501 James St. Springdale, PA 15144	Testing
David Lovic U.S. Radon Professionals, LLC	501 James St. Springdale, PA 15144	Mitigation
Robert Mallon	PO Box 419 South Heights, PA 15081	Mitigation
Neil Minnucci Homestead Inspection, Inc.	955 Allentown Rd. Lansdale, PA 19446	Mitigation
Matthew Muehling	454 Rockwood Dr. Elizabethtown, PA 17022	Testing
Peter Piazza	316 Marigold Dr. Greensburg, PA 15601	Testing
Quality Home Services of Delaware Valley, Inc.	700 Braxton Dr. Ridley Park, PA 19078	Testing
RJH Radon Mitigation, Inc.	PO Box 91 Akron, PA 17501	Mitigation
Jeffrey Ralston	420 Valley Rd. Bloomsburg, PA 17815	Mitigation
Mike Sheely	1000 Wolfe Rd. Enola, PA 17025	Testing
Michael Stabile	182 Heather Dr. Blakeslee, PA 18610	Testing
David Steinman	1653 Lititz Pk., # 219 Lancaster, PA 17601	Testing
Michael Tokarczyk	753 Lutzville Rd. Everett, PA 15537	Mitigation
Jody Viscomi	1304 Eynon St. Scranton, PA 18504	Testing
James Zamiska	523 Burnside Rd. McDonald, PA 15057	Testing

Projects under the Environmental Good Samaritan Act; Coverage Request Received

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200.

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection, Moshannon District Office, 186 Enterprise Road, Philipsburg, PA 16866, Attention: Watershed Manager.

The following request for coverage proposal has been received by the Department. A copy of the proposal is available for inspection at the office indicated. Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within 30 days of this publication. Written comments or objections should contain the name, address, and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

EGS 59003. Tioga County Conservation District, (1867 Shumway Road, Wellsboro, PA 16901). Southwestern Energy granted the necessary funding to the **Tioga County** Conservation District and Concerned Citizens Committee for design and construction of Acid Mine Drainage (AMD) treatment systems at Fall Brook, a headwaters tributary to the Tioga River in Ward Township, Tioga County. Project includes construction of two passive systems consisting of drainable limestone beds, settling basins, and flush ponds to treat the Fall Brook 099, 01, 02, and 03 discharges. Systems will flush automatically using solar powered mechanisms, and regular visits and operation and maintenance will be carried out under agreement with the Blossburg Municipal Authority. Systems are expected to restore 8,000 feet of Fall Brook, and improve 15,500 feet of the Tioga River. Coverage request received June 20, 2016.

[Pa.B. Doc. No. 16-1212. Filed for public inspection July 15, 2016, 9:00 a.m.]

Aggregate Advisory Board; Regulatory, Legislative and Technical Committee Meeting

The Aggregate Advisory Board's Regulatory, Legislative and Technical Committee will meet on July 18, 2016, from 1 p.m. to 3 p.m. in the 10th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. The meeting will be offered in a conference call format.

Questions concerning the meeting can be directed to Daniel E. Snowden, DEd at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meetings are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board (MRAB)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DEd at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1213. Filed for public inspection July 15, 2016, 9:00 a.m.]

Bid Opportunity

AMD 24(6134)104.1, Abandoned Mine Reclamation Project, Brandy Camp Southwest Settling Pond Liner, Horton Township, Elk County. The principal items of work and approximate quantities include grading, R-4 noncalcareous rock 130 tons, R-6 noncalcareous rock 323 tons, clay 2,600 cubic yards, fence 1,100 linear feet and seeding 2 acres.

This bid issues on August 5, 2016, and bids will be opened on August 30, 2016, at 2 p.m. Bid documents, including drawings in PDF format and Auto-Cad Map 3D format, may be downloaded for free beginning on the issue date from the Department of Environmental Protection's web site at www.dep.pa.gov/ConstructionContracts. Bid documents and drawings can also be obtained upon payment of \$22, plus \$8 for postage, which includes sales tax, by calling (717) 787-7820. Auto-Cad Map 3D format drawings can also be purchased on a compact disc (CD) for an additional \$5 per CD. Money will not be refunded. This project is financed by the AMD Abatement and Treatment Fund. Contact the Construction Contracts Section at (717) 787-7820 for more information on this bid.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1214. Filed for public inspection July 15, 2016, 9:00 a.m.]

Conditional State Water Quality Certification for the Army Corps of Engineers Pennsylvania State Programmatic General Permit (PASPGP-5)

The Department of Environmental Protection (Department) issues, on behalf of the Commonwealth, State Water Quality Certification for activities authorized by

the Baltimore, Philadelphia and Pittsburgh Districts of the Army Corps of Engineers (Corps) under the Pennsylvania State Programmatic General Permit-5 (PASPGP-5), which was issued by the Corps under section 404(e) of the Clean Water Act (act) (33 U.S.C.A. § 1344(e)) and section 10 of the River and Harbor Act of 1899 (33 U.S.C.A. § 403), subject to the following conditions. Prior to beginning any activity covered by PASPGP-5, the applicant must obtain all necessary permits or approvals from the Department, including, but not limited to, those required by The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P.S. §§ 6020.101—6020.1305), the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908) and the regulations promulgated thereunder including 25 Pa. Code Chapters 91, 92a, 93, 95, 102, 105 and 260a—299. Additionally, all environmental assessments required under these regulations, in addition to other regulatory requirements, must be complied with as a condition of this State Water Quality Certification for PASPGP-5.

Section 401(a) of the act (33 U.S.C.A. § 1341(a)) requires an applicant seeking authorization to use PASPGP-5 to provide the Corps with certification from the Commonwealth that any discharge that may result from the applicant's proposed activity will comply with the applicable provisions of sections 301—303, 306 and 307 of the act (33 U.S.C.A. §§ 1311—1313, 1316 and 1317). The Commonwealth has established water quality standards for its surface waters in 25 Pa. Code Chapter 93 (relating to water quality standards), and permitting programs setting effluent limitations and performance standards to achieve those State water quality standards, which the United States Environmental Protection Agency has approved as consistent with the applicable provisions of the act. The Department certifies that the construction, operation and maintenance of projects in accordance with PASPGP-5 and the conditions of this State Water Quality Certification will comply with the Commonwealth's water quality standards and the applicable provisions of the act.

With the issuance of this State Water Quality Certification, activities authorized for coverage under PASPGP-5 can begin for use during the 5-year term of PASPGP-5. A copy of PASPGP-5 is available at <http://www.nab.usace.army.mil/Missions/Regulatory/Permit-Types-and-Process/>. Applicants for authorization from the Corps for activities under section 404 of the act or section 10 of the River and Harbor Act of 1899 that are not covered under PASPGP-5 must obtain separate State Water Quality Certifications from the Department to comply with section 401 of the act. Activities that require any Federal authorization other than or in addition to an authorization from the Corps under section 404 of the act or section 10 of the River and Harbor Act of 1899 (such as, but not limited to, an interstate natural gas pipeline, a gas storage field, or a nuclear or hydroelectric project that requires a license, certification or permit from another Federal agency) shall submit a request to the Department for State Water Quality Certification for the entire project requiring Federal authorizations as required by section 401 of the act.

In response to the 30-day public comment period on the proposed State Water Quality Certification for PASPGP-5 that concluded on June 27, 2016, see 46 Pa.B. 2737 (May 28, 2016), the Department received comments from one commentator. For the reasons explained in the Department's responses to the comments received, which

are available at <http://www.dep.pa.gov/Business/Water/Waterways/Encroachments/Pages/default.aspx> the Department determined that the conditions included in this State Water Quality Certification for PASPGP-5 did not require revision.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge this action, appeals must reach the Board within 30 days. Individuals do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Individuals who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1215. Filed for public inspection July 15, 2016, 9:00 a.m.]

Mid-Atlantic Ocean Action Plan; Public Comment Period; Webinar and Public Open House Sessions

The Department of Environmental Protection (Department) is publishing this notice on behalf of the Mid-Atlantic Regional Council on the Ocean (MARCO) and the Mid-Atlantic Regional Planning Body (RPB) regarding a draft Mid-Atlantic Ocean Action Plan (Plan). MARCO and the RPB are conducting a variety of public participation opportunities for the draft Plan, which was prepared by the RPB. The RPB is a group of state and Federal agencies, Federally-recognized tribes and the Mid-Atlantic Fishery Management Council working collaboratively on ocean planning.

Authority for this planning process was set forth in 2010 by Presidential Executive Order 13547, Stewardship of the Ocean, Our Coasts, and the Great Lakes, which established a National Ocean Policy (NOP) to guide the protection, maintenance and restoration of the United States' oceans and coasts. The NOP calls for the creation of RPBs to coordinate and implement regional ocean planning with state, Federal, tribal and fishery management council representatives. Accordingly, the Mid-Atlantic RPB was formally established in April 2013. The

Commonwealth participates with Maryland, Virginia, Delaware, New Jersey and New York in this collaborative ocean-planning effort.

The public comment period for the Plan opened July 6, 2016, as published at 81 FR 44040 (July 6, 2016) and will remain open through September 6, 2016. It is important to note that the Department is not collecting comments on the Plan but is posting this notice on behalf of MARCO and the RPB. Stakeholders are encouraged to provide comments directly to the RPB by e-mail at MidAtlanticRPB@boem.gov.

In addition, MARCO and the RPB will conduct a series of open house sessions during summer 2016 to engage stakeholders in understanding how Mid-Atlantic ocean resources are currently being used, managed and conserved, and to establish a broad vision that will guide the actions that need to be taken to address shared regional priorities. Prior to the start of these sessions, the draft Plan will be available at <http://www.boem.gov/MidA-New/>. Dates and locations for these open house sessions can be found on MARCO's web site at http://midatlanticocean.org/event-calendar/action~month/exact_date~1467345600/request_format~html/.

For more information, contact Arlo Hemphill, MARCO Communications Director at (202) 746-3484.

At the completion of public participation, the Plan will be reviewed by all participating agencies with a goal of completing Plan review by mid-September 2016. If approved, the Plan will be submitted to the National Ocean Council for approval by December 31, 2016.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1216. Filed for public inspection July 15, 2016, 9:00 a.m.]

Mining and Reclamation Advisory Board Meeting

The Mining and Reclamation Advisory Board (Board) will meet on July 21, 2016, from 9 a.m. to 11:30 a.m. in the Main Conference Room, Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931. The meeting will also be offered in a conference call format.

Questions concerning the meeting can be directed to Daniel E. Snowden, DED at (717) 783-8846 or dsnowden@pa.gov. The agenda and meeting materials for the meeting are available through the Public Participation tab on the Department of Environmental Protection's (Department) web site at www.dep.pa.gov (select "Public Participation," then "Advisory Committees," then "Mining Advisory Committees," then "Mining and Reclamation Advisory Board (MRAB)").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Daniel E. Snowden, DED at (717) 783-8846 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1217. Filed for public inspection July 15, 2016, 9:00 a.m.]

Processing of Asbestos Abatement and Demolition/ Renovation Notifications

The Department of Environmental Protection (Department) has revised its process for receipt of Asbestos Abatement and Demolition/Renovation Notification Forms (2700-FM-AQ0021). These forms are no longer being processed by the Bureau of Air Quality in the Department's Central Office. Effective immediately, Asbestos Abatement and Demolition/Renovation Notification Forms must be sent to the appropriate Department Regional Office as listed based on the geographic location of the project:

Bucks, Chester, Delaware and Montgomery Counties

Southeast Regional Office
Asbestos Notification
2 East Main Street
Norristown, PA 19401-4915
(484) 250-5920

Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties

Northeast Regional Office
Asbestos Notification
2 Public Square
Wilkes-Barre, PA 18701-1915
(570) 826-5547

Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties

Southcentral Regional Office
Asbestos Notification
909 Elmerton Avenue
Harrisburg, PA 17110-8200
(717) 705-4702

Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties

Northcentral Regional Office
Asbestos Notification
208 West Third Street, Suite 101
Williamsport, PA 17701-6448
(570) 321-6580

Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties

Southwest Regional Office
Asbestos Notification
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-5214 for Armstrong, Beaver, Greene and Washington Counties
(724) 925-5428 for Cambria, Fayette, Indiana, Somerset and Westmoreland Counties

Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties

Northwest Regional Office
Asbestos Notification
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6634

Individuals with questions or who need additional information concerning the processing of the Asbestos Abatement and Demolition/Renovation Notification Forms should contact Randall Koppenhaver, Air Quality Program Specialist, at rakoppenha@pa.gov or (717) 772-3993.

PATRICK McDONNELL,
Acting Secretary

[Pa.B. Doc. No. 16-1218. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Lease Office Space to the Commonwealth Mercer County

Proposers are invited to provide the Department of General Services with 7,400 to 8,300 usable square feet of office space for the Board of Probation and Parole in Mercer County. For more information on SFP No. 94806, which is due on Friday, September 2, 2016, visit www.dgs.pa.gov or contact David Weyandt, (717) 525-5255, daweyandt@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-1219. Filed for public inspection July 15, 2016, 9:00 a.m.]

Lease Office Space to the Commonwealth Warren County

Proposers are invited to provide the Department of General Services with 2,346 usable square feet of office space for the Department of Labor and Industry in Warren County. For more information on SFP No. 94813, which is due on Friday, August 19, 2016, visit www.dgs.pa.gov or contact David Weyandt, (717) 525-5255, daweyandt@pa.gov.

CURTIS M. TOPPER,
Secretary

[Pa.B. Doc. No. 16-1220. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF HEALTH

Ambulatory Surgical Facilities; Requests for Exceptions

The following ambulatory surgical facility (ASF) has filed requests for exceptions under 28 Pa. Code § 51.33 (relating to requests for exceptions) with the Department of Health (Department), which has authority to license ASFs under the Health Care Facilities Act (35 P.S. §§ 448.101—448.904b). The following request for exception relates to regulations governing ASF licensure in 28 Pa. Code Chapters 51 and 551—571 (relating to general information; and ambulatory

surgical facilities), with the exception of 28 Pa. Code § 571.1 (relating to minimum standards). Exception requests related to 28 Pa. Code § 571.1 are listed separately in this notice.

<i>Facility Name</i>	<i>Regulation</i>
Einstein Montgomery Surgery Center	28 Pa. Code § 553.31(a) (relating to administrative responsibilities)

The following ASFs are requesting exceptions under 28 Pa. Code § 571.1. Requests for exceptions under this section relate to minimum standards that ASFs must comply with under the *Guidelines for Design and Construction of Hospitals and Outpatient Facilities (Guidelines)*. The following includes the citation to the section under the *Guidelines* that the ASF is seeking an exception, as well as the publication year of the applicable *Guidelines*.

<i>Facility Name</i>	<i>Guidelines Section</i>	<i>Relating to</i>	<i>Publication Year</i>
Penn Highlands DuBois Surgery Center	3.1-3.3.1	Hand scrub facilities	2014
	3.7-3.2.3.1	Area—space requirements	2014
Peripheral Vascular Institute of Philadelphia, LLC	3.7-3.6.11.2	Surgical equipment and supply storage	2014

All requests previously listed are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov. Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously. Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1221. Filed for public inspection July 15, 2016, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

CH Skilled Nursing Facility of Allentown
1503 Cedar Crest Boulevard
Allentown, PA 18104
FAC ID # 24190201

Falling Spring Nursing and Rehabilitation Center
201 Franklin Farm Lane
Chambersburg, PA 17202
FAC ID # 061302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or

hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,
Secretary

[Pa.B. Doc. No. 16-1222. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Cash Bam Boom Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Cash Bam Boom.

2. *Price:* The price of a Pennsylvania Cash Bam Boom instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Cash Bam Boom instant lottery game ticket will contain one play area consisting of “GAME 1,” “GAME 2,” “GAME 3” and “GAME 4.” Each “GAME” is played separately. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15

(FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Dynamite (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$6⁰⁰ (SIX DOL) \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$10,000 (TEN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 ticket, \$1, \$2, \$4, \$5, \$6, \$10, \$20, \$40, \$100, \$400, \$1,000 and \$10,000. The player can win up to 4 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Cash Bam Boom instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$10,000 (TEN THO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10,000.

(b) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$400 (FOR HUN) appears in two of the "PRIZE" areas and a prize symbol of \$100 (ONE HUN) appears in two of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$400 (FOR HUN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$100 (ONE HUN) appears in all four of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the "PRIZE" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "PRIZE" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all four of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$40.

(k) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$6⁰⁰ (SIX DOL) appears in three of the "PRIZE" areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$20.

(m) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all four of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$20.

(n) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the "PRIZE" areas and a prize symbol of \$4⁰⁰ (FOR DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$10.

(p) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the "PRIZE" areas and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$10.

(q) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$6⁰⁰ (SIX DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$6.

(r) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in three of the "PRIZE" areas and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets with a Dynamite (WINALL) symbol in the play area, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in all four of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of \$1⁰⁰ (ONE DOL) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of \$1.

(x) Holders of tickets with two like numbers in the same "GAME," and a prize symbol of FREE (TICKET) appears in the "PRIZE" area for that "GAME," on a single ticket, shall be entitled to a prize of one Pennsylvania

Cash Bam Boom instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal Two Like Numbers In The
Same Game, Win Prize Shown
For That Game.
Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 9,600,000 Tickets
FREE	FREE \$1 TICKET	10	960,000
\$1	\$1	50	192,000
\$1 × 2	\$2	30	320,000
\$2	\$2	30	320,000
DYNAMITE w/ (\$1 × 4)	\$4	60	160,000
\$2 × 2	\$4	600	16,000
\$4	\$4	600	16,000
DYNAMITE w/ ((\$1 × 3) + \$2)	\$5	500	19,200
\$5	\$5	750	12,800
DYNAMITE w/ ((\$4 × 2) + (\$1 × 2))	\$10	300	32,000
DYNAMITE w/ ((\$2 × 3) + \$4)	\$10	300	32,000
\$5 × 2	\$10	600	16,000
\$10	\$10	600	16,000
DYNAMITE w/ (\$5 × 4)	\$20	600	16,000
DYNAMITE w/ ((\$6 × 3) + \$2)	\$20	600	16,000
\$5 × 4	\$20	600	16,000
\$10 × 2	\$20	3,000	3,200
\$20	\$20	3,000	3,200
DYNAMITE w/ (\$10 × 4)	\$40	8,000	1,200
\$20 × 2	\$40	6,000	1,600
\$40	\$40	6,000	1,600
DYNAMITE w/ ((\$40 × 2) + (\$10 × 2))	\$100	8,000	1,200
DYNAMITE w/ ((\$20 × 3) + \$40)	\$100	24,000	400
\$100	\$100	24,000	400
DYNAMITE w/ (\$100 × 4)	\$400	24,000	400
\$400	\$400	24,000	400
DYNAMITE w/ ((\$400 × 2) + (\$100 × 2))	\$1,000	960,000	10
\$1,000	\$1,000	960,000	10
\$10,000	\$10,000	960,000	10

Reveal a "DYNAMITE" (WINALL) symbol in any GAME, win all 4 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Cash Bam Boom instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single

installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Cash Bam Boom, prize money from winning Pennsylvania Cash Bam Boom instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Cash Bam Boom instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Cash Bam Boom or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-1223. Filed for public inspection July 15, 2016, 9:00 a.m.]

Pennsylvania Power 7s '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Power 7s '16.

2. *Price:* The price of a Pennsylvania Power 7s '16 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Power 7s '16 instant lottery game ticket will contain one play area featuring 15 play symbols and their captions. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 7 (SVN) symbol, \$70 Burst (WIN70) symbol and a Plug (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$5⁰⁰ (FIV DOL), \$7⁰⁰ (SVN DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$70⁰⁰ (SEVENTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$700 (SVN HUN), \$1,000 (ONE THO), \$7,000 (SVN THO) and \$70,000 (SVY THO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$7, \$10, \$20, \$25, \$40, \$50, \$70, \$100, \$200, \$400, \$700, \$1,000, \$7,000 and \$70,000. The player can win up to 15 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania Power 7s '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$70,000 (SVY THO) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$70,000.

(b) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$7,000 (SVN THO)

appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$7,000.

(c) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets with a Plug (WINALL) symbol in the play area and a prize symbol of \$70⁰⁰ (SEVENTY) appears in ten of the "prize" areas, a prize symbol of \$25⁰⁰ (TWY FIV) appears in four of the "prize" areas and a prize symbol of \$200 (TWO HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$700 (SVN HUN) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$700.

(f) Holders of tickets with a Plug (WINALL) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in two of the "prize" areas, a prize symbol of \$40⁰⁰ (FORTY) appears in twelve of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$700.

(g) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$400 (FOR HUN) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets with a Plug (WINALL) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(i) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$200 (TWO HUN) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$200.

(j) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a Plug (WINALL) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets with a Plug (WINALL) symbol in the play area and a prize symbol of \$7⁰⁰ (SVN DOL) appears in ten of the "prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$70⁰⁰ (SEVENTY) appears in the "prize" area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$70.

(n) Holders of tickets with a \$70 Burst (WIN70) symbol in the play area and a prize symbol of \$70⁰⁰ (SEVENTY) appears in the "prize" area under that \$70 Burst (WIN70) symbol, on a single ticket, shall be entitled to a prize of \$70.

(o) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the

“prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$7⁰⁰ (SVN DOL) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$7.

(u) Holders of tickets with a 7 (SVN) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “prize” area under that 7 (SVN) symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Reveal A “7” (SVN) Symbol, Win Prize Shown Under That Symbol.</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
Win With:			
\$5	\$5	10	960,000
\$7	\$7	30	320,000
\$5 × 2	\$10	60	160,000
\$10	\$10	40	240,000
\$5 × 4	\$20	60	160,000
\$10 × 2	\$20	60	160,000
\$20	\$20	60	160,000
\$5 × 8	\$40	600	16,000
\$10 × 4	\$40	600	16,000
\$20 × 2	\$40	600	16,000
\$40	\$40	600	16,000
\$7 × 10	\$70	3,000	3,200
\$10 × 7	\$70	3,429	2,800
\$70 w/ \$70 BURST	\$70	169.01	56,800
\$70	\$70	3,000	3,200
PLUG w/ ((\$7 × 10) + (\$5 × 4) + \$10)	\$100	1,043	9,200
PLUG w/ ((\$10 × 5) + (\$5 × 10))	\$100	2,400	4,000
\$10 × 10	\$100	8,000	1,200
\$20 × 5	\$100	8,000	1,200
\$25 × 4	\$100	8,000	1,200
\$50 × 2	\$100	8,000	1,200
\$100	\$100	8,000	1,200
PLUG w/ ((\$40 × 5) + (\$20 × 10))	\$400	24,000	400
\$40 × 10	\$400	120,000	80
\$100 × 4	\$400	120,000	80
\$200 × 2	\$400	120,000	80
(\$70 × 5) + (\$25 × 2)	\$400	120,000	80
((\$70 w/ \$70 BURST) × 5) + (\$25 × 2)	\$400	60,000	160
\$400	\$400	120,000	80
PLUG w/ ((\$100 × 2) + (\$40 × 12) + \$20)	\$700	8,000	1,200
\$70 × 10	\$700	24,000	400
\$100 × 7	\$700	24,000	400
(\$70 w/ \$70 BURST) × 10	\$700	8,000	1,200
\$700	\$700	24,000	400
PLUG w/ ((\$70 × 10) + (\$25 × 4) + \$200)	\$1,000	24,000	400
\$100 × 10	\$1,000	120,000	80
\$1,000	\$1,000	120,000	80
\$700 × 10	\$7,000	960,000	10
\$1,000 × 7	\$7,000	1,920,000	5
\$7,000	\$7,000	1,920,000	5
\$70,000	\$70,000	960,000	10

Reveal a “\$70 BURST” (WIN70) symbol, win \$70 instantly.

Reveal a “PLUG” (WINALL) symbol, win all 15 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Power 7s '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Power 7s '16, prize money from winning Pennsylvania Power 7s '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Power 7s '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Power 7s '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-1224. Filed for public inspection July 15, 2016, 9:00 a.m.]

Pennsylvania Wild 1 '16 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Wild 1 '16.

2. *Price:* The price of a Pennsylvania Wild 1 '16 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Wild 1 '16 instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 1 (ONE) symbol, Volcano (5TIMES) symbol and a WILD (WINALL) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$25, \$40, \$50, \$100, \$200, \$500, \$1,000 and \$50,000. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Wild 1 '16 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$200.

(h) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$25⁰⁰ (TWY FIV) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$25.

(r) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$25.

(s) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets with a WILD (WINALL) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$15.

(w) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$15.

(x) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets with a Volcano (5TIMES) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area to the right of that Volcano (5TIMES) symbol, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$4⁰⁰ (FOR DOL) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$4.

(bb) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$3⁰⁰ (THR DOL) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$3.

(cc) Holders of tickets with a 1 (ONE) symbol in the play area and a prize symbol of \$2⁰⁰ (TWO DOL) appears in the "Prize" area to the right of that 1 (ONE) symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Reveal A "1" (ONE) Symbol,
Win Prize Shown To The
Right Of That Symbol.
Win With:

\$2
\$3
\$2 × 2
\$4
\$3 + \$2
\$5
\$2 × 5
\$5 × 2
\$2 w/ VOLCANO
\$10
\$3 × 5

Win:

\$2
\$3
\$4
\$4
\$5
\$5
\$10
\$10
\$10
\$10
\$15

Approximate
Odds Are 1 In:

7.69
50
75
150
150
53.57
750
750
166.67
750
1,500

Approximate No.
Of Winners Per
7,200,000
Tickets

936,000
144,000
96,000
48,000
48,000
134,400
9,600
9,600
43,200
9,600
4,800

Reveal A "1" (ONE) Symbol,
Win Prize Shown To The
Right Of That Symbol.
Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$5 × 3	\$15	1,500	4,800
\$3 w/ VOLCANO	\$15	750	9,600
\$15	\$15	1,500	4,800
WILD w/ (\$2 × 10)	\$20	300	24,000
\$5 × 4	\$20	1,500	4,800
\$10 × 2	\$20	1,500	4,800
\$4 w/ VOLCANO	\$20	750	9,600
\$20	\$20	1,500	4,800
\$5 × 5	\$25	1,500	4,800
\$5 w/ VOLCANO	\$25	500	14,400
\$25	\$25	1,500	4,800
WILD w/ (\$4 × 10)	\$40	1,500	4,800
\$5 × 8	\$40	12,000	600
\$10 × 4	\$40	12,000	600
\$20 × 2	\$40	12,000	600
(\$5 w/ VOLCANO) + (\$5 × 3)	\$40	6,000	1,200
(\$4 w/ VOLCANO) × 2	\$40	3,000	2,400
\$40	\$40	12,000	600
WILD w/ (\$5 × 10)	\$50	1,714	4,200
\$10 × 5	\$50	12,000	600
\$25 × 2	\$50	12,000	600
(\$5 w/ VOLCANO) × 2	\$50	2,400	3,000
\$10 w/ VOLCANO	\$50	2,667	2,700
\$50	\$50	12,000	600
WILD w/ (\$10 × 10)	\$100	2,000	3,600
\$20 × 5	\$100	12,000	600
\$25 × 4	\$100	12,000	600
\$50 × 2	\$100	12,000	600
(\$2 w/ VOLCANO) × 10	\$100	2,400	3,000
\$20 w/ VOLCANO	\$100	2,400	3,000
\$100	\$100	12,000	600
WILD w/ (\$20 × 10)	\$200	30,000	240
\$100 × 2	\$200	120,000	60
(\$10 w/ VOLCANO) × 4	\$200	120,000	60
\$40 w/ VOLCANO	\$200	60,000	120
\$200	\$200	120,000	60
WILD w/ (\$50 × 10)	\$500	120,000	60
(\$10 w/ VOLCANO) × 10	\$500	120,000	60
\$100 w/ VOLCANO	\$500	120,000	60
\$500	\$500	120,000	60
\$500 × 2	\$1,000	120,000	60
\$1,000	\$1,000	120,000	60
\$50,000	\$50,000	720,000	10

Reveal a "VOLCANO" (5TIMES) symbol, win 5 times the prize shown to the right of that symbol.

Reveal a "WILD" (WINALL) symbol, win all 10 prizes shown!

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Wild 1 '16 instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaran-

teed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Wild 1 '16,

prize money from winning Pennsylvania Wild 1 '16 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Wild 1 '16 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Wild 1 '16 or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-1225. Filed for public inspection July 15, 2016, 9:00 a.m.]

Pennsylvania Wonder Buck\$ Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Wonder Buck\$.

2. *Price:* The price of a Pennsylvania Wonder Buck\$ instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Wonder Buck\$ instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area, and a "BONUS" area. The "BONUS" area is played separately. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Star (STAR) symbol, BUCK\$ (WIN50) symbol, and a WIN Burst (WINALL) symbol.

The play symbols and their captions located in the "BONUS" area are: BANG! Burst (BANG) symbol, ARGH! Burst (ARGH) symbol, SNAP! Burst (SNAP) symbol, GASP! Burst (GASP) symbol, SPLAT! Burst (SPLAT) symbol, WHAP! Burst (WHAP) symbol, THUD! Burst (THUD) symbol, CRASH! Burst (CRASH) symbol and a ZAP! Burst (ZAP) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$30,000 (TRY THO) and \$300,000 (THRHUNTHO). The prize symbols and their captions in the "BONUS" area are: \$10.⁰⁰ (TEN DOL), \$15.⁰⁰ (FIFTN), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN) and \$500 (FIV HUN).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$15, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000, \$10,000, \$30,000 and \$300,000. The prizes that can be won in the "BONUS" area are: \$10, \$15, \$20, \$40, \$50, \$100 and \$500. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,800,000 tickets will be printed for the Pennsylvania Wonder Buck\$ instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$30,000 (TRY THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$30,000 (TRY THO) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$30,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$1,000 (ONE THO) appears in five of the "Prize" areas and a prize symbol of \$500 (FIV HUN) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol

of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in six of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "Prize" areas and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$500.

(m) Holders of tickets upon which two like symbols appear in the "BONUS" area, and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under those matching symbols, on a single ticket, shall be entitled to a prize of \$500.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$100 (ONE HUN) appears in three of the "Prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in two of the "Prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$400.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL)

symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in five of the "Prize" areas and a prize symbol of \$15⁰⁰ (FIFTN) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a WIN Burst (WINALL) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in ten of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$100.

(v) Holders of tickets upon which two like symbols appear in the "BONUS" area, and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under those matching symbols, on a single ticket, shall be entitled to a prize of \$100.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$50.

(y) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a BUCK\$ (WIN50) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under that BUCK\$ (WIN50) symbol, on a single ticket, shall be entitled to a prize of \$50.

(z) Holders of tickets upon which two like symbols appear in the "BONUS" area, and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under those matching symbols, on a single ticket, shall be entitled to a prize of \$50.

(aa) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(bb) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star (STAR) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$40.

(cc) Holders of tickets upon which two like symbols appear in the "BONUS" area, and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under those matching symbols, on a single ticket, shall be entitled to a prize of \$40.

(dd) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(ee) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$20.

(ff) Holders of tickets upon which two like symbols appear in the “BONUS” area, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in the “Prize” area under those matching symbols, on a single ticket, shall be entitled to a prize of \$20.

(gg) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(hh) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the “Prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$15.

(ii) Holders of tickets upon which two like symbols appear in the “BONUS” area, and a prize symbol of \$15.⁰⁰ (FIFTN) appears in the “Prize” area under those matching symbols, on a single ticket, shall be entitled to a prize of \$15.

(jj) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(kk) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star (STAR) symbol, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under that Star (STAR) symbol, on a single ticket, shall be entitled to a prize of \$10.

(ll) Holders of tickets upon which two like symbols appear in the “BONUS” area, and a prize symbol of \$10.⁰⁰ (TEN DOL) appears in the “Prize” area under those matching symbols, on a single ticket, shall be entitled to a prize of \$10.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

*When Any Of Your Numbers Match
Any Winning Number, Win Prize
Shown Under The Matching Number.
Win With:*

\$10 w/ BONUS
\$10 w/ STAR
\$10
\$15 w/ BONUS
\$15 w/ STAR
\$15
\$10 × 2
\$20 w/ BONUS
\$20 w/ STAR
\$20
\$10 × 4
\$20 × 2
(\$20 w/ BONUS) + (\$10 × 2)
((\$15 w/ STAR) × 2) + (\$10 w/ BONUS)
\$40 w/ STAR
\$40
\$10 × 5
((\$20 w/ STAR) × 2) + (\$10 w/ BONUS)
(\$10 w/ STAR) + (\$40 w/ BONUS)
\$50 w/ BUCK\$
\$50 w/ STAR
\$50
\$10 × 10
\$20 × 5
(\$50 w/ BUCK\$) + (\$50 w/ BONUS)
(\$50 w/ BUCK\$) × 2
\$100 w/ STAR
\$100
WIN BURST w/ ((\$40 × 5) + (\$20 × 10))
WIN BURST w/ ((\$50 × 5) + (\$15 × 10))
\$100 × 4
((\$50 w/ BUCK\$) × 6) + (\$20 × 5)
((\$50 w/ BUCK\$) × 4) + (\$40 × 5)
((\$50 w/ BUCK\$) × 6) + (\$100 w/ BONUS)
(\$50 w/ BUCK\$) × 8
(\$40 w/ STAR) × 10

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,800,000 Tickets:</i>
\$10	20	390,000
\$10	20	390,000
\$10	15	520,000
\$15	30	260,000
\$15	60	130,000
\$15	60	130,000
\$20	120	65,000
\$20	120	65,000
\$20	120	65,000
\$20	120	65,000
\$40	600	13,000
\$40	600	13,000
\$40	300	26,000
\$40	300	26,000
\$40	300	26,000
\$40	300	26,000
\$50	600	13,000
\$50	600	13,000
\$50	600	13,000
\$50	120	65,000
\$50	600	13,000
\$50	600	13,000
\$100	600	13,000
\$100	600	13,000
\$100	600	13,000
\$100	600	13,000
\$100	600	13,000
\$400	12,000	650
\$400	8,000	975
\$400	24,000	325
\$400	12,000	650
\$400	12,000	650
\$400	12,000	650
\$400	12,000	650
\$400	12,000	650
\$400	12,000	650

When Any Of Your Numbers Match
Any Winning Number, Win Prize
Shown Under The Matching Number.
Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,800,000 Tickets:
\$400 w/ STAR	\$400	12,000	650
\$400	\$400	24,000	325
WIN BURST w/ (((\$40 × 10) + (\$20 × 5))	\$500	12,000	650
WIN BURST w/ (((\$100 × 3) + (\$50 × 2) + (\$10 × 10))	\$500	12,000	650
(((\$50 w/ BUCK\$) × 8) + (\$100 w/ BONUS)	\$500	12,000	650
(\$50 w/ BUCK\$) × 10	\$500	12,000	650
(\$100 w/ STAR) × 5	\$500	12,000	650
\$500 w/ STAR	\$500	24,000	325
\$500	\$500	24,000	325
WIN BURST w/ (((\$100 × 5) + (\$50 × 10))	\$1,000	12,000	650
WIN BURST w/ (((\$100 × 6) + (\$50 × 4) + (\$40 × 5))	\$1,000	12,000	650
\$100 × 10	\$1,000	12,000	650
(((\$100 w/ STAR) × 5) + (\$500 w/ BONUS)	\$1,000	24,000	325
\$1,000 w/ STAR	\$1,000	12,000	650
\$1,000	\$1,000	24,000	325
WIN BURST w/ (((\$1,000 × 5) + (\$500 × 10))	\$10,000	1,560,000	5
\$1,000 × 10	\$10,000	1,560,000	5
\$10,000 w/ STAR	\$10,000	1,560,000	5
\$10,000	\$10,000	1,560,000	5
\$10,000 × 3	\$30,000	1,560,000	5
\$30,000 w/ STAR	\$30,000	780,000	10
\$30,000	\$30,000	1,560,000	5
\$300,000	\$300,000	780,000	10

Reveal a "STAR" (STAR) symbol, win prize shown under that symbol automatically.

Reveal a "BUCK\$" (WIN50) symbol, win \$50 instantly!

Reveal a "WIN BURST" (WINALL) symbol, win all 15 prizes shown!

BONUS: Reveal two matching symbols in the BONUS area, win prize shown. BONUS is played separately.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Wonder Buck\$ instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter

a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

11. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Wonder Buck\$, prize money from winning Pennsylvania Wonder Buck\$ instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Wonder Buck\$ instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

13. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Wonder Buck\$ or through normal communications methods.

EILEEN H. McNULTY,
Secretary

[Pa.B. Doc. No. 16-1226. Filed for public inspection July 15, 2016, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Sandy Township, Clearfield County. The parcel contains 7,263 square feet of unimproved land situated along South Brady Street, DuBois, PA. The estimated fair market value is \$2,200.

Interested persons are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to the Department of Transportation, Engineering District 2-0, Attn: John R. Gaylor, Right-of-Way Administrator, 70 PennDOT Drive, Clearfield, PA 16830-5061.

LESLIE S. RICHARDS,
Secretary

[Pa.B. Doc. No. 16-1227. Filed for public inspection July 15, 2016, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, June 30, 2016, and announced the following:

Action Taken—Regulation Approved:

State Board of Education # 6-333: Strategic Planning (amends 22 Pa. Code Subsections 12.41(a), 14.104(a), 16.4(a) and 49.16(a))

State Board of Education # 6-329: Financial Recovery (amends 22 Pa. Code by adding Chapter 18)

Environmental Quality Board # 7-486: Administration of the Land Recycling Program (amends 25 Pa. Code Chapter 250)

Pennsylvania Public Utility Commission # 57-309: Customer Information Disclosure Requirements for Natural Gas Suppliers Providing Natural Gas Supply to Residential and Small Business Customers (amends 52 Pa. Code (§§ 62.72, 62.75 and 62.81))

Action Taken—Regulation Disapproved: Order Not Yet Issued

*Pennsylvania Public Utility Commission # 57-304: Implementation of the Alternative Energy Portfolio Standards Act of 2004

*Will advise when order is issued.

Approval Order

Public Meeting Held
June 30, 2016

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Education
Strategic Planning
Regulation No. 6-333 (# 3149)*

On May 26, 2016, the Independent Regulatory Review Commission (Commission) received this regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code Subsections 12.41(a), 14.104(a), 16.4(a) and 49.16(a). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation deletes references to strategic plans and clarifies the plans that are required for each program under existing Section 4.13.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. §§ 1-121, 26-2603-B, 26-2604-B) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 30, 2016

Commissioners Voting: George D. Bedwick, Chairperson; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*State Board of Education
Financial Recovery
Regulation No. 6-329 (# 3064)*

On July 8, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends 22 Pa. Code by adding Chapter 18. The proposed regulation was published in the July 19, 2014 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 26, 2016.

This rulemaking identifies criteria that the Secretary of Education may consider in determining whether to place a school district in financial recovery status and provides direction on whether the financial recovery status will be deemed to be moderate or severe.

We have determined this regulation is consistent with the statutory authority of the Board (24 P.S. § 6-621-A(a)(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 30, 2016

Commissioners Voting: George D. Bedwick, Chairperson;
John F. Mizner, Esq., Vice Chairperson; W. Russell
Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Environmental Quality Board
Administration of the Land Recycling Program
Regulation No. 7-486 (# 3057)*

On April 28, 2014, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 250. The proposed regulation was published in the May 17, 2014 *Pennsylvania Bulletin* with a 31-day public comment period. The final-form regulation was submitted to the Commission on May 13, 2016.

This regulation updates the Statewide health cleanup standards, corrects errors and omissions, and clarifies certain established program policies.

We have determined this regulation is consistent with the statutory authority of the Board (35 P.S. §§ 6026.104(a) and 6026.303(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
June 30, 2016

Commissioners Voting: George D. Bedwick, Chairperson, dissenting; John F. Mizner, Esq., Vice Chairperson; W. Russell Faber; Murray Ufberg, Esq.; Dennis A. Watson, Esq.

*Pennsylvania Public Utility Commission
Customer Information Disclosure Requirements for
Natural Gas Suppliers Providing Natural Gas Supply to
Residential and Small Business Customers
Regulation No. 57-309 (# 3101)*

On May 20, 2015, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code (§§ 62.72, 62.75 and 62.81). The proposed regulation was published in the June 6, 2015 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 18, 2016.

The regulation amends the customer information disclosure requirements for natural gas suppliers, requiring them to provide additional information such as a contract summary with details regarding variable-priced products, historical pricing information, and pricing and terms.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 2206(c)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1228. Filed for public inspection July 15, 2016, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or it can be viewed on the Commission's web site at www.irrc.state.pa.us.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4323	State Board of Chiropractic Distance Education	7/1/16	8/18/16

GEORGE D. BEDWICK,
Chairperson

[Pa.B. Doc. No. 16-1229. Filed for public inspection July 15, 2016, 9:00 a.m.]

INSURANCE DEPARTMENT

Benjamin Joseph Wade Owens; License Denial; Doc. No. AG16-06-020

The proceeding in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code Chapter 56 (relating to Special Rules of Administrative Practice and Procedure).

A prehearing telephone conference initiated by this office is scheduled for July 26, 2016, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before July 22, 2016. A hearing shall occur on August 9, 2016, at 10 a.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA.

If an attorney or representative for a party attending the conference does not have complete settlement authority relative to this matter, the party or persons with full settlement authority shall be available by telephone during the conference. At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before July 11, 2016, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any, shall be filed on or before July 25, 2016.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1230. Filed for public inspection July 15, 2016, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; United States Longshore and Harbor Workers Compensation Act; Rate Filing

On July 1, 2016, the Insurance Department received from the Pennsylvania Compensation Rating Bureau (Bureau) proposed revisions to rates applicable to workers eligible for benefits under the Longshore and Harbor Workers' Compensation Act (33 U.S.C.A. §§ 901—950).

The filing proposes an overall rate level decrease of 41.6% effective October 1, 2016. (This overall figure represents an average; the effect of this filing on the rates for individual insureds will vary.) The filing is available for review on the Bureau's web site at www.pcrb.com in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@pa.gov within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,
Insurance Commissioner

[Pa.B. Doc. No. 16-1231. Filed for public inspection July 15, 2016, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following document during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Administrative Circular No. 15-14 (Revised)—Extension of Encumbrance Dates for the Fiscal Year Ended June 30, 2015, Dated June 8, 2016.

LAURA CAMPBELL,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 16-1232. Filed for public inspection July 15, 2016, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P.S. § 1303.303), announces a meeting of the Authority's Board to be held at the Conference Center, Central Penn College, 600 Valley Road, Summerdale, PA 17093 at 10 a.m. on Tuesday, July 26, 2016.

Individuals with questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

REGINA M. HOFFMAN, RN, BSN, MBA, CPPS,
Executive Director

[Pa.B. Doc. No. 16-1233. Filed for public inspection July 15, 2016, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Generation Supplier License Cancellations of Companies with an Expired Financial Security

Public Meeting held
June 30, 2016

Commissioners Present: Gladys M. Brown, Chairperson;
Andrew G. Place, Vice Chairperson; John F. Coleman,
Jr.; Robert F. Powelson; David W. Sweet

*Electric Generation Supplier License Cancellations of
Companies with an Expired Financial Security;
M-2015-2490383*

Tentative Order

By the Commission:

The Commission's regulations at 52 Pa. Code § 54.40(a) state that an Electric Generation Supplier (EGS) license will not be issued or remain in force until the licensee furnishes a bond or other security approved by the Commission. In addition, 52 Pa. Code § 54.40(d) states that the maintenance of an EGS license is contingent on the licensee providing proof to the Commission that a

bond or other approved security in the amount directed by the Commission has been obtained.

Each EGS must file an original bond, letter of credit, continuation certificate, amendment, or other approved financial instrument with Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 prior to the EGS's current security expiration date. Each financial instrument must be an original document that displays a "wet" signature or digital signature, preferable in blue ink, and displays a "raised seal" or original notary stamp. The name of the principal on the original financial instrument must match exactly with the name that appears on the EGS's license issued by the Commission.

Failure to file before the financial security's expiration date may cause Commission staff to initiate a formal proceeding that may lead to the following: cancellation of each company's electric supplier license, removal of each company's information from the Commission's website and notification to all electric distribution companies, in which each company is licensed to do business, of the cancellation of the license.

As of June 21, 2016, each EGS listed in the Supplier Table below has not provided proof to the Commission that it has a bond or other approved security in the amount directed by the Commission, to replace its expired bond as noted in the table below.

Supplier Table—List of Electric Generation Suppliers

<i>Docket Number</i>	<i>Company Name</i>	<i>Exp. Date</i>
A-2010-2179372	GLOBAL ENERGY SOLUTIONS CORPORATION	5/26/16
A-2015-2501450	GREENCROWN ENERGY, LLC	6/1/16
A-2010-2175277	HES ENERGY, LLC	2/28/16
A-2011-2250599	INSOURCE POWER, INC.	5/17/16
A-2015-2497630	LEGEND ENERGY ADVISORS	6/18/16
A-2011-2260124	MABLOCK CONSULTING, LLC	6/15/16
A-2014-2437023	NAVIGATE POWER, LLC	5/30/16
A-2011-2257924*	TERM POWER & GAS, LLC	6/8/16
A-2014-2403852	TRUSTED ENERGY, LLC	5/21/16

* Taking title to electricity

As part of its EGS license validation procedures, the Commission's Bureau of Technical Utility Services sent a 60-day Security Renewal Notice Letter to each entity in the Supplier Table above stating that original documentation of a bond, or other approved security, must be filed within 30 days prior to each entity's security expiration date. None of the companies listed in the Supplier Table provided the required documentation.

Based on the above facts, we tentatively conclude that the EGSs listed in the Supplier Table are not in compliance with 52 Pa. Code § 54.40(a) and (d) and therefore it is appropriate to initiate the cancellation process for each EGS license of each company listed in the Supplier Table, without the necessity of a formal complaint, as being in the public interest; *Therefore,*

It Is Ordered That:

1. Cancellation of the Electric Generation Supplier Licenses of each company listed in the Supplier Table is

hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation & Enforcement, Department of Revenue—Bureau of Corporation Taxes, all electric distribution companies, all of the Electric Generation Suppliers in the Supplier Table and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment or the filing of approved security within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary.

4. Upon entry of the Final Order described in Ordering Paragraph No. 3 above, each company listed in the Supplier Table will be stricken from all active utility lists

maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration, removed from the Commission's website, and notifications be sent to all electric distribution companies in which the Electric Generation Suppliers are licensed to do business.

5. Upon entry of the Final Order described in Ordering Paragraph No. 3, each electric distribution company in which the Electric Generation Suppliers are licensed to do business, shall return the customers of the Electric Generation Suppliers to default service.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1234. Filed for public inspection July 15, 2016, 9:00 a.m.]

Pike County Light and Power Company Plan for Seamless Moves and Instant Connects

Public Meeting held
June 30, 2016

Commissioners Present: Gladys M. Brown, Chairperson; Andrew G. Place, Vice Chairperson; John F. Coleman, Jr.; Robert F. Powelson; David W. Sweet

Pike County Light and Power Company Plan for Seamless Moves and Instant Connects; M-2014-2401119

Final Order

Before the Pennsylvania Public Utility Commission (Commission) is a recommendation from its Office of Competitive Market Oversight (OCMO) to provide Pike County Light and Power Company (Pike) with a temporary exemption of the Commission's seamless moves and instant connects requirements. On or before August 31, 2017, Pike is required to submit for the Commission's review and approval a revised plan for implementing seamless moves and instant connects in its service territory.

A seamless move is the ability of a customer's choice of supplier to move with the customer to a new address within a single service territory without interruption. Instant connect is the ability of supply service to start on "day one" of new utility service, without the customer first having to go on default service.

Background

By order entered on April 29, 2011, the Commission launched its Investigation of Pennsylvania's Retail Electricity Market (Electric RMI), directing OCMO to develop recommendations for improvements to ensure that a properly functioning and workable competitive retail electricity market exists in Pennsylvania.¹ On February 15, 2013, the Commission entered its Electric RMI Final Order (Electric RMI Final Order).² As part of the Electric RMI Final Order, the Commission instructed electric distribution companies (EDCs) to submit, by the end of 2013, plans for the implementation of seamless moves and instant connects in their service territories by June 1, 2015.

¹ See Investigation of Pennsylvania's Retail Electricity Market, Docket No. I-2011-2237952 (Order entered Apr. 29, 2011).

² See Investigation of Pennsylvania's Retail Electricity Market: End State of Default Service, Docket No. I-2011-2237952 (Final Order entered Feb. 15, 2013).

Pursuant to the Commission's Electric RMI Final Order, Pike submitted a compliance filing on December 30, 2013, which detailed its plan to implement seamless moves and instant connects in its service territory by June 1, 2015. In the alternative, Pike requested that it be exempted from the seamless moves and instant connects provisions due to the cost of implementation relative to the size of its customer base. Subsequent events caused the Commission to modify the implementation timelines for these new market enhancements. Specifically, on April 3, 2014, the Commission promulgated new regulations directing the EDCs to develop three-business day supplier switching timeframes.³

On July 29, 2014, Pike filed a Petition for Waiver of Regulations Regarding Standards for Changing a Customer's Generation Supplier requesting a waiver of the three-business day switching requirements.⁴ Shortly thereafter, this Commission acknowledged that the implementation of three-business day supplier switching required significant effort by the EDCs and that the timely development of three-business day switching was a priority over instant connects and seamless moves. As such, by means of an August 13, 2014 Secretarial Letter, the Commission permitted the EDCs to delay the development of seamless moves and instant connects if an EDC determined that developing these processes could hinder or delay the development of three-business day supplier switching.⁵

At its November 13, 2014 Public Meeting, this Commission granted Pike's Petition for Waiver of Accelerated Switching, providing for a waiver of the three-business day switching requirements until June 15, 2015.⁶ The Commission required Pike to submit an analysis of the costs and feasibility of a manual process to switch customers that complies with our regulations at 52 Pa. Code § 57.174 within 90 days of the entry date of its Nov. 2015 Accelerated Switching Waiver Order.⁷ On March 4, 2015, Pike submitted its analysis to the Commission.⁸ Pike included in that filing a request that it be provided with a permanent waiver of the three-business day switching requirements at 52 Pa. Code §§ 57.173—57.174.⁹ As an alternative, Pike proposed implementation of three-business day, on-cycle switching.¹⁰

On March 20, 2015, this Commission issued a Secretarial Letter directing EDCs, including Pike, to file revised plans to implement seamless moves and instant connects by July 1, 2016.¹¹ EDCs, in their plans, were directed to demonstrate how they will achieve seamless moves and instant connects and their timeframes for implementation to meet a July 1, 2016 implementation

³ See Rulemaking to Amend the Provisions of 52 Pa. Code, Chapter 57 Regulations Regarding Standards for Changing a Customer's Electricity Generation Supplier, Docket L-2014-2409383 (Final-Omitted Rulemaking Order entered Apr. 3, 2014).

⁴ See Petition of Pike County Light & Power Company for Waiver of Regulations Regarding Standards for Changing a Customer's Generation Supplier, Docket No. P-2014-2437967 (Filed July 29, 2014) (hereinafter Pike's Petition for Waiver of Accelerated Switching).

⁵ See EDC plan filings for Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Secretarial Letter served Aug. 13, 2014).

⁶ See Petition of Pike County Light & Power Company for Waiver of Regulations Regarding Standards for Changing a Customer's Generation Supplier, 52 Pa. Code §§ 57.171—57.180, Docket No. P-2014-2437967 (Order entered Nov. 25, 2014) (hereinafter Nov. 2015 Accelerated Switching Waiver Order).

⁷ See Nov. 2015 Accelerated Switching Waiver Order at 10.

⁸ See Petition of Pike County Light & Power Company for Waiver of Regulations Regarding Standards for Changing a Customer's Generation Supplier (Pike Analysis of Costs and Feasibility of a Manual Process), Docket No. P-2014-2437967 (Filed Mar. 4, 2015) (hereinafter Pike's Analysis and Waiver Request).

⁹ Id. at 5.

¹⁰ Ibid.

¹¹ See EDC plan filings for Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Secretarial Letter served Mar. 20, 2015).

deadline. Each plan was also to include an estimate of the costs to design, test, implement and maintain seamless moves and instant connects, and proposals for the recovery of those costs. This Secretarial Letter also provided a 30-day comment period for responses to the filed plans. The Commission then committed to review the plans and comments to determine appropriate further actions with regard to the filed plans.

On April 20, 2015, Pike filed a revised plan to implement seamless moves and instant connects by July 1, 2016. As in its previous plan, Pike included a request that it be exempted from the seamless move and instant connect requirements due to the high costs relative to the size of its customer base. On May 28, 2015, the Office of Consumer Advocate (OCA) submitted comments regarding Pike's revised plan, which are discussed below.

Lastly, this Commission, at its June 11, 2015 Public Meeting, addressed Pike's Analysis and Waiver Request.¹² In its June 2015 Accelerated Switching Waiver Order, the Commission accepted Pike's proposed three-business day, on-cycle switching process.¹³ Additionally, Pike was provided with a waiver of the Commission's three-business day switching regulations until June 15, 2017.¹⁴

Pike's Plan

In its filing, Pike proposes that it be exempted from the seamless move and instant connects requirements discussed above. In the alternative, Pike proposes a Plan for implementation. Pike estimates the total cost of implementing seamless moves and instant connects will be between \$950,000 and \$1.2 million. Pike Plan at 7.

Request for Exemption

Pike states that it strongly supports retail electric competition and notes that currently 54% of its electric delivery customers are enrolled for commodity service with an electric generation supplier (EGS). Pike expresses concern, however, regarding the cost effectiveness of seamless moves and instant connects in its service territory. Pike estimates that the bill impact of seamless moves and instant connects on its 4,700 customers would be approximately \$289 to \$365 per year, per customer, for five years. Pike states that its analysis of EGS rates paid by its customers compared to Pike default service rates from July 2009 through December 2013 reveals that the largest customer cost incurred while waiting one month to switch to an EGS was \$12.07 based on 700 kilowatt-hour (kWh) per month usage. Pike notes that it does not believe that this amount has increased materially since 2013 and that, if the \$12.07 benefit was captured by all customers, the total benefit would be approximately \$57,000. Id. at 8.

Based on this information, Pike requests that the Commission exempt it from implementing both seamless moves and instant connects. Pike believes such an exemption to be in the best interests of its customers. Pike notes that, if the Commission does not provide such an exemption, it will implement seamless moves and instant connects based on its proposed plan (detailed below) and seek to recover the costs of implementation by adding

them to the revenue requirement provided in its next rate filing, which it estimates will be filed no earlier than September 1, 2016.¹⁵

Seamless Moves

For seamless moves, Pike proposes to allow eligible shopping customers to retain their current electric generation supplier when moving within Pike's service territory provided that the customer requests the disconnection of service at one premises and the initiation of service at a different premises within Pike's service territory. Pike Plan at 5. Additionally, the customer must meet the following criteria:

- Customer is enrolled with an EGS at the existing premises;
- The name on both accounts is identical;
- The rate class on both accounts is identical; and
- The start date for service at the new premises is after the disconnect date at the existing premises.

Pike states that if the criteria listed above are met, its customer service representative (CSR) will ask whether the customer wishes to remain with his or her current EGS at the new premises. If the customer responds affirmatively, the CSR will initiate the seamless move transaction in Pike's billing system. Id. at 6. Pike will then send an electronic data interchange (EDI) transaction to the EGS notifying it of the customer's change in address and new account number.¹⁶ The EGS will send an acknowledgement upon receipt of the EDI change request. Pike states that, if the customer requests a start date that is at least four business days prior to the next meter read date, the customer will begin service at the new premises with the EGS. However, if the start date is less than four business days prior to the next meter read date, the customer will become a default service customer for the first bill cycle and will take service from the EGS beginning on the second bill period. Id. at 7.

Pike notes that, for a seamless move to occur, the customer must final the first account before initiating the second. Id. at 7. Additionally, backdating of service connections will not qualify; the change can only be made prospectively. Id. at 8.

If a customer calls to finalize service at his or her current location and initiate service at a new location within Pike's service territory and there is a pending active enrollment with a second EGS on that customer's current account, Pike states that the customer would be ineligible for a seamless move. Additionally, if, after a new account is created but before the current account is finalized, the customer calls for a seamless move and a second EGS submits an enrollment transaction via EDI, the transaction will follow the normal rules—the second enrollment will not become effective because the current account is in the process of closing. Id. at 7.

Instant Connects

When a customer calls Pike to initiate electric service, Pike proposes that its CSR establish the customer's account as a "Pending Active" account and assign a new account number, similar to Pike's current process. If the customer is either new to the Pike service territory or is adding a new service (e.g., the customer moved from one residence to another within Pike's service territory and

¹² See Petition of Pike County Light & Power Company For Waiver of Regulations Regarding Standards for Changing a Customer's Electric Generation Supplier And an Analysis of Costs and Feasibility of a Manual Process, Docket No. P-2014-2437967 (Order entered June 11, 2015) (hereinafter June 2015 Accelerated Switching Waiver Order).

¹³ Id. at 7.

¹⁴ Id. at 8.

¹⁵ Pike states that this would be in accordance with its current electric rate plan at Docket No. R-2013-2397237.

¹⁶ Pike notes that it utilizes New York EDI protocols and therefore will need to notify the New York Public Service Commission (NYPSC) prior to the implementation of any EDI changes.

was a default customer at the prior residence), the CSR will ask the customer if he/she would like to enroll with an EGS. If answered affirmatively, the CSR will provide the customer with the newly-created account number. The CSR will then transfer the customer to the customer's chosen EGS or, if a specific EGS is not chosen, to an EGS assigned on a rotating basis. If the customer enters into a contract with the EGS, the EGS must follow its normal enrollment process and submit an EDI enrollment request to Pike. Pike Plan at 3-4.

Pike proposes that, upon receipt of the EGS enrollment request, it will undertake its "Day One" process. "Day One" refers to the first business day outside of the "8 Day EDI acceptance window" (the 8 Day Window). The 8 Day Window encompasses the four business days prior to the meter read date, the day of the meter read, and the three business days following the meter read date. Pike states that it cannot make changes to a customer's account during the 8 Day Window due to the downloading of data utilized to read the meter and prepare the bill (the four business days prior to the meter read date), the reading of the meter (the day of the meter read), and the preparation of the customer's bill (the three business days following the meter read date). Therefore, if the EDI enrollment request is received at least four business days prior to the customer's next meter read date, the EGS enrollment will be effective on the date that service is initiated. If the EDI enrollment request is received during the 8 Day Window, the customer will receive Pike's default service for a first billing period up to the end of the 8 Day Window (a maximum of eight business days). The customer will then receive service from the selected EGS beginning on the second bill period. Pike notes that neither the customer nor the EGS would be required to take any additional action to make the enrollment effective. Id. at 4.

Pike states that it will accept all enrollments from an EGS and will code the "Pending Active" account as enrolled with the chosen EGS. Pike notes that both the change in the number of days and an acceptance while an account is "Pending Active" constitute changes to its current enrollment processes and will require modifications to its billing and EDI systems, as well as to its Retail Access Information System (RAIS). Additionally, Pike states that it will follow its normal procedures and mail an enrollment letter to the customer. The customer will have the standard three days to rescind the contract. Id. at 4-5.

Timeline

Pike anticipates that it will need 12 months in order to modify its systems, develop new processes, and perform significant programming and testing in order to implement seamless moves and instant connects. Additionally, Pike notes that it must notify the NYPSC of any new EDI segments. Ibid.

Comments

OCA is in general agreement with the Commission's proposals related to seamless moves and instant connects. While it finds these processes to be reasonable, OCA asserts that certain issues should be addressed. OCA Comments at 2-3. OCA submits that every EGS customer who contacts the EDC to arrange a move should be informed of the seamless move process so that the customer is aware that they will retain the EGS at their new location unless the EGS determines that it will not continue to provide service at the new location. OCA further submits that EGSs should be required to send a

confirmation letter to a customer informing the customer that the EGS will or will not continue service at the new location. OCA acknowledges that this may increase costs for EGSs, but believes that customers should be aware of how their service will be provided as their circumstances change. Id. at 3-4.

Regarding EDC cost recovery, OCA submits that these costs should be recovered from the EGSs that benefit through maintaining the customer relationship and by establishing a contractual relationship at the time service is established. To the extent these costs are recovered from ratepayers, OCA submits that the costs should be recovered in a base rate case and that the Commission must carefully review these costs in such proceedings to ensure that they are just and reasonable. Id. at 5-6.

OCA states that Pike has clearly demonstrated that the costs of seamless move and instant connect implementation are not reasonable given the size of the utility. Therefore, OCA submits that the Commission should grant Pike's request for an exemption. Id. at 6.

Resolution

Request for Exemption

As discussed in our Orders addressing other EDCs,¹⁷ this Commission remains convinced that seamless moves and instant connects are important enhancements to the competitive electric marketplace. These two items are, from a customer's perspective, ordinary and expected capabilities that have been hindered by current EDC account handling processes and information systems.¹⁸ However, as expressed in our June 2015 Accelerated Switching Waiver Order, this Commission recognizes Pike's uniqueness, specifically with regard to its relatively small customer base and its operational relationship with its corporate parent in New York.¹⁹ Additionally, we recognize Pike's efforts to estimate the billing impacts associated with implementing seamless moves and instant connects in its service territory at this time. We will not grant Pike a permanent exemption from this Commission's seamless move and instant connects requirement, at this time. However, we will grant Pike a temporary exemption, similar to that afforded to Pike in our June 2015 Accelerated Switching Waiver Order regarding three-business day switching. As previously discussed herein, our June 2015 Accelerated Switching Waiver Order provided Pike with a waiver of the three-business day switching requirements until June 15, 2017, and also approved Pike's proposed three-business day, on-cycle switching process. The implementation of Pike's on-cycle process, as well as the expiration of the three-business day switching waiver in Pike's service territory, may allow for a smoother and less costly methodology for implementing seamless moves and instant connects. Therefore, this Commission will temporarily exempt Pike from our seamless move and instant connect requirements. As discussed later herein, Pike is required to submit to this Commission for its review and approval a revised plan for seamless move and instant connect implementation on or before August 31, 2017.

¹⁷ See Duquesne Light Company Plan for Seamless Moves and Instant Connects, Docket No. M-2014-2401127 (Final Order entered Sept. 3, 2015) at 10 (hereinafter Duquesne Order); Joint Plan of Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company and West Penn Power Company for Seamless Moves and Instant Connects, Docket No. M-2014-2401130, et. al (Final Order entered Oct. 1, 2015) at 15; PPL Electric Utilities Corporation Plan for Seamless Moves and Instant Connects, Docket No. M-2014-2401103 (Final Order entered Oct. 1, 2015) at 11; PECO Energy Company's Plan for Seamless Moves and Instant Connects, Docket No. M-2014-2401085 (Final Order entered Oct. 22, 2015) at 9; UGI Utilities, Inc.—Electric Division Plan for Seamless Moves and Instant Connects, Docket No. M-2014-2401126 (Final Order entered May 19, 2016) at 7.

¹⁸ Ibid.

¹⁹ See June 2015 Accelerated Switching Waiver Order at 6-7.

Revised Implementation Plan

Pike's Plan details its existing processes for customer moves. It appears that Pike currently requires at least the first bill of a customer moving into its service territory to be processed before an EGS may even send an enrollment request. This request will then be processed and become effective on the customer's next meter read date. Pike states that, if an EGS sends an enrollment request less than five business days prior to the next meter read date, the enrollment will become effective on the second meter read date after Pike receives the enrollment request. As a result, new customers experience a shopping "black out" that requires them to take default service from Pike for at least the first bill period and potentially the second bill period, depending on the timing of the enrollment request. See Pike Plan at 3. It is unclear as to whether or not Pike's proposed instant connect process²⁰ addresses this shopping "black out." Therefore, we direct Pike to include in its revised plan a methodology for shortening, or preferably eliminating, this initial default service period.

In the proceedings regarding the revised plans filed by Duquesne, FirstEnergy, PECO and PPL, comments were filed by FirstEnergy Solutions (FES) regarding concerns about how customer relocation, in seamless move scenarios, could result in significant changes to the character of the service being used and thus possibly impacting existing contracts.²¹ While FES did not file those same comments in this proceeding, we would like to maintain directives that are as consistent as possible across all EDC service territories. As noted in our Duquesne Order, we do not believe the way to address FES's concern is to allow EGSs to unilaterally terminate contracts simply because a customer relocates.²² Instead, as outlined in the Duquesne Order, we will carefully restrict the customer eligibility requirements for seamless moves. We do not find Pike's customer eligibility requirements for either the seamless move or the instant connect process to be clear. As we approved in the Duquesne Order,²³ we direct Pike to include in its revised plan a requirement that, in a seamless move scenario, the customer maintains the same supplier billing rate, billing option and tax exemption percentage. Additionally, we direct Pike to include in its revised plan the rate classes/schedules eligible for both the seamless move and instant connects processes.

In response to the customer notice issues raised by OCA, we will adopt the same measures as we did in the Duquesne Order and not require EGSs to send a confirmation letter to the customer stating that it will/will not continue to serve the customer at the new address.²⁴ EGSs are free to send such a notice to their customers, but requiring such a notice is unnecessary. We prefer the approach adopted in the Duquesne Order, where the EDC will inform the customer that his or her EGS supply service will seamlessly move to the new location (assuming eligibility requirements are met).²⁵ The customer does not have to authorize or take any additional actions for this to happen. We direct Pike to include this in its revised plan.

²⁰ See Pike Plan at 3-5.

²¹ See Comments of FirstEnergy Solutions Corp. to the Seamless Moves and Instant Connects Plans of Duquesne Light Company, PECO Energy Company, PPL Electric Utilities, Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, and West Penn Power Company, Docket Nos. M-2014-2401127, M-2014-2401085, M-2014-2401103, M-2014-2401130, M-2014-2401155, M-2014-2401151 and M-2014-2401148 (Filed May 28, 2015).

²² See Duquesne Order at page 10.

²³ Id.

²⁴ Id. at pages 11-12.

²⁵ Id. at page 5.

Pike notes that it will take approximately 12 months and between \$950,000 and \$1.2 million to implement the seamless moves and instant connect processes outlined in its plan. This Commission has provided through this Final Order a temporary waiver of the seamless move and instant connect requirements for Pike as we believe the implementation of Pike's three-business day, on-cycle switching, as well as the upcoming implementation of three-business day, off-cycle switching may affect both seamless moves and instant connects. We believe that the implementation of those processes may allow for a smoother and less costly methodology for implementing seamless moves and instant connects in the Pike service territory. Therefore, we direct Pike to include in its revised plan updated cost estimates and timelines for implementing the seamless move and instant connects functionalities. We will address potential cost recovery mechanisms upon review of Pike's revised implementation plan.

Conclusion

After review of Pike's proposed plan and request for exemption, we find that granting Pike a temporary exemption of this Commission's seamless move and instant connect requirements to be in the public interest. On or before August 31, 2017, Pike is required to submit for the Commission's review and approval a revised plan, per the terms of this Final Order, for implementing seamless moves and instant connects in its service territory.

Therefore,

It Is Ordered That:

1. Pike County Light & Power Company's request for exemption from the Commission's seamless move and instant connects requirements is temporarily granted.

2. Pike County Light & Power Company shall file with the Commission, on or before August 31, 2017, a revised plan, per the terms of this Final Order, for implementing seamless moves and instant connects in its service territory.

3. This Final Order be served on all jurisdictional Electric Distribution Companies, the Bureau of Investigation and Enforcement, the Office of Consumer Advocate, the Office of Small Business Advocate and the parties who filed comments at Docket No. M-2014-2401119.

4. The Secretary shall deposit a notice of this Final Order with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. A copy of this Order be posted on the Commission's website at the Office of Competitive Market Oversight's web page at http://www.puc.pa.gov/utility_industry/electricity/electric_competitive_market_oversight.aspx.

6. The Office of Competitive Market Oversight shall electronically serve a copy of this Final Order on all persons on the contact list for the Committee Handling Activities for Retail Growth in Electricity.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1235. Filed for public inspection July 15, 2016, 9:00 a.m.]

Public Wireless, Inc.

Public Meeting held
June 30, 2016

Commissioners Present: Gladys M. Brown, Chairperson;
Andrew G. Place, Vice Chairperson; John F. Coleman,
Jr.; Robert F. Powelson; David W. Sweet

Public Wireless, Inc.; A-2009-2115540

Tentative Order

By the Commission:

Public Wireless, Inc. (Public Wireless or the Company), whose utility code is 3111218, is a competitive access provider certificated at A-2009-2115540, on March 24, 2010.

Public Wireless appears to be an inactive business entity. Research by Commission staff revealed an entry on the FCC Form 499 website that Public Wireless Voice is no longer active as of June 30, 2014. Commission staff's attempts to reach the Company have similarly been unsuccessful, and Commission records show that the Company's last filed annual financial report was in 2013.

Currently, there are no informal or formal complaints pending against the Company before the Commission. Based on the above facts, we tentatively conclude that it is appropriate to revoke Public Wireless's certificate of public convenience as being in the public interest. Where a company no longer provides utility service to the public, there is no reason to maintain a certificate of public convenience for that company; *Therefore,*

It Is Ordered That:

1. Revocation of Public Wireless, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation & Enforcement, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, the Bureau of Technical Utility Services shall prepare a Final Order for entry by the Secretary and shall advise the affected Bureaus within the Commission in writing that the certificate of public convenience held by Public Wireless, Inc., utility code A-3111218, is cancelled and the case may be closed.

4. Upon entry of the Final Order described in ordering Paragraph No. 3 above, Public Wireless, Inc.'s name will be stricken from all active utility lists maintained by the Commission's Bureau of Technical Utility Services and the Assessment Section of the Bureau of Administration.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1236. Filed for public inspection July 15, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a

common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 1, 2016. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2016-2528573 (Amended). Alliance for Nonprofit Resources, t/a ANR Transport (212—214 South Main Street, Suite 1023, Butler, Butler County, PA 16001) in paratransit service, between points in the Counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington and Westmoreland. *Attorney:* David O'Boyle, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219-3455.

A-2016-2550877. Mali Taxi Service, LLC (150 Sleepy Hollow Lane, Lewisburg, Union County, PA 17837) in call or demand service, between points in Pennsylvania; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2551953. Health Ride Plus, Inc. (406 Magnolia Street, P.O. Box 1007, Northern Cambria, PA 15714) in paratransit service, from points in Potter, Clinton, Cameron and McKean Counties, to points in Pennsylvania.

A-2016-2552112. J. Lieb Health Services, LLC, t/a Brightstar Care of Happy Valley (402 South Atherton Street, Suite 210, State College, Centre County, PA 16801) in paratransit service, limited to persons who are unable to drive themselves due to a physical disability, between points in Centre, Mifflin and Huntingdon Counties.

A-2016-2552452. S&W Charter Services Limited (123 East High Street, Apartment 3, Manheim, Lancaster County, PA 17545) in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bucks, Chester, Dauphin, Delaware, Lancaster, Lebanon Montgomery, Philadelphia and York, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2016-2553645. A AA Medical Transport, Inc., t/a AAA Fleet (3021 Franks Road, Suite 7, Huntingdon Valley, Montgomery County, PA 19006) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2016-2553741. Medi-Cab Transport, LLC (35 Majestic Circle, Hollidaysburg, Blair County, PA 16648) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points

in the Counties of Bedford, Blair, Cambria, Centre, Clearfield and Indiana, to points in Pennsylvania, and return.

A-2016-2553638. Driving Betty, LLC (P.O. Box 142, Cresson, Cambria County, PA 16630) in paratransit service, limited to persons who are unable to operate a motor vehicle, between points in Blair, Cambria, Centre and Huntingdon Counties.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.

A-2016-2551148. Real-Time Delivery and Services, LLC (2261 North Lawrence Street, Philadelphia, PA 19133) household goods in use, between points in Pennsylvania.

A-2016-2552334. Philadelphia Movers, LLC (600 Red Lion Road, Apartment 65, Philadelphia, PA 19115) household goods in use, between points in Pennsylvania.

Application of the following for the approval of the right and privilege to *discontinue/abandon* operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2016-2554777. Willow Street Fire Company, Inc. (P.O. Box 495, Willow Street, PA 17584) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, at A-00115269, authorizing the transportation of persons, in paratransit service, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return; *Subject to the following conditions:* 1) that no right, power or privilege is granted to provide service in the Borough of Ephrata, Lancaster County, and within an airline distance of 5 statute miles of the center of said borough; and 2) that service is limited to the use of vans which are both wheelchair and ambulance litter capable, which are equipped with wheelchair lifts.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1237. Filed for public inspection July 15, 2016, 9:00 a.m.]

Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due August 1, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. American Life Ambulance, LLC; Docket No. C-2016-2545546

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against American Life Ambulance, LLC

(Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is American Life Ambulance, LLC and maintains its principal place of business at 3466 Progress Drive, Suite 113, Bensalem, PA 19020, Attention: Michael Burns.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about December 16, 2013, at A-2013-2375524, for paratransit authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and

authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about February 6, 2015, the Commission mailed to Respondent an assessment report for Respondent to report its gross intrastate operating revenues for the 2014 calendar year.

13. The assessment report was accompanied by a letter, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2015.

14. Respondent failed to file an assessment report stating its 2014 calendar year revenues.

15. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year) that was based, in part, on Respondent's estimated revenues for the 2014 calendar year. Respondent's assessment was \$42.

16. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

17. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

18. The Commission received no objections from Respondent to this assessment.

19. Respondent failed to pay the amount of its 2015-2016 Fiscal Year assessment invoice.

20. The total outstanding assessment balance for Respondent is \$42.

Violations

COUNT 1

21. That Respondent failed to report its gross intrastate operating revenues for the 2014 calendar year in that it did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

COUNT 2

22. That Respondent failed to satisfy its 2015-2016 Fiscal Year assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$6.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,048, which consists of its outstanding assessment balance of \$42 and a total civil penalty of \$1,006 for the above-described violations;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 16, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 16, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Brandon P. Walker, t/a B.P.W. Transportation; Docket No. C-2016-2545025

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against Brandon P. Walker, t/a B.P.W. Transportation (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is Brandon P. Walker, t/a B.P.W. Transportation and maintains his principal place of business at 6924 Church Road Felton, PA 17322.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as he is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about July 23, 1999, at A-00113920, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about February 6, 2015, the Commission mailed to Respondent an assessment report for Respondent to report his gross intrastate operating revenues for the 2014 calendar year.

13. The assessment report was accompanied by a letter, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2015.

14. Respondent failed to file an assessment report stating his 2014 calendar year revenues.

15. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal

Year) that was based, in part, on Respondent's estimated revenues for the 2014 calendar year. Respondent's assessment was \$49.

16. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

17. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

18. The Commission received no objections from Respondent to this assessment.

19. Respondent failed to pay the amount of his 2015-2016 Fiscal Year assessment invoice.

20. The total outstanding assessment balance for Respondent is \$49.

Violations

COUNT 1

21. That Respondent failed to report his gross intrastate operating revenues for the 2014 calendar year in that he did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

COUNT 2

22. That Respondent failed to satisfy his 2015-2016 Fiscal Year assessment in that he did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$7.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,056, which consists of his outstanding assessment balance of \$49 and a total civil penalty of \$1,007 for the above-described violations;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 13, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 13, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law

Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Rapid Transit, Inc.; Docket No. C-2016-2545045

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against Rapid Transit, Inc. (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is Rapid Transit, Inc. and maintains its principal place of business at 4648 H Street Philadelphia, PA 19124, Attention: Jose Lopez, Jr.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about June 17, 2014, at A-2013-2369268, for paratransit authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about September 10, 2015, the Commission mailed to Respondent, an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year). Respondent's assessment was \$59.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

14. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

15. The Commission received no objections from Respondent to the assessment amount set forth in the 2015-2016 Fiscal Year assessment invoice.

16. Respondent failed to pay the amount of its 2015-2016 Fiscal Year assessment invoice.

17. The total outstanding assessment balance for Respondent is \$59.

Violation

18. That Respondent failed to satisfy its 2015-2016 Fiscal Year assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$9.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$68, which consists of its outstanding assessment balance of \$59 and a civil penalty of \$9 for the above-described violations; and

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 13, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 13, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. John W. Helms, Jr., t/a Johnny Helms Transport; Docket No. C-2016-2545053

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against John W. Helms, Jr., t/a Johnny Helms Transport (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is John W. Helms, Jr., t/a Johnny Helms Transport and maintains a principal place of business with a main mailing address of 3380 Country Club Road Mount Pleasant, PA 15666.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as he is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about May 28, 2013, at A-2013-2356857, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about February 6, 2015, the Commission mailed to Respondent an assessment report for Respondent to report his gross intrastate operating revenues for the 2014 calendar year.

13. The assessment report was accompanied by a letter, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2015.

14. Respondent failed to file an assessment report stating his 2014 calendar year revenues.

15. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal

Year) that was based, in part, on Respondent's estimated revenues for the 2014 calendar year. Respondent's assessment was \$108.

16. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

17. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

18. The Commission received no objections from Respondent to this assessment.

19. Respondent failed to pay the amount of his 2015-2016 Fiscal Year assessment invoice.

20. The total outstanding assessment balance for Respondent is \$108.

Violations

COUNT 1

21. That Respondent failed to report his gross intrastate operating revenues for the 2014 calendar year in that he did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

COUNT 2

22. That Respondent failed to satisfy his 2015-2016 Fiscal Year assessment in that he did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$16.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,124, which consists of his outstanding assessment balance of \$108 and a total civil penalty of \$1,016 for the above-described violations;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 13, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 13, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Ronald Cab, Inc., t/a Community Cab; Docket No. C-2016-2543579

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against Ronald Cab, Inc., t/a Community Cab (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is Ronald Cab, Inc., t/a Community Cab and maintains its principal place of business at P.O. Box 506 Wallingford, PA 19086-506.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about June 14, 2000, at A-00116500, for taxi authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year). Respondent's assessment was \$117.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

14. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

15. The Commission received no objections from Respondent to the assessment amount set forth in the 2015-2016 Fiscal Year assessment invoice.

16. Respondent failed to pay the amount of its 2015-2016 Fiscal Year assessment invoice.

17. The total outstanding assessment balance for Respondent is \$117.

Violation

18. That Respondent failed to satisfy its 2015-2016 Fiscal Year assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$18.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$135, which consists of its outstanding assessment balance of \$117 and a civil penalty of \$18 for the above-described violations; and

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 5, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 5, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within

20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Shawn Cab, Inc., t/a Delaware County Cab Company;
 Docket No. C-2016-2543426**

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against Shawn Cab, Inc., t/a Delaware County Cab Company (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
 Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265
 717.772.8839
 stwimer@pa.gov

Gina L. Lauffer
 Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265
 717.787.8754
 ginlauffer@pa.gov

Michael L. Swindler
 Deputy Chief Prosecutor
 Pennsylvania Public Utility Commission
 Bureau of Investigation and Enforcement
 P.O. Box 3265
 Harrisburg, PA 17105-3265

4. Respondent is Shawn Cab, Inc., t/a Delaware County Cab Company and maintains its principal place of business at 702 Macdade Blvd. Collingdale, PA 19023.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about May 15, 2000, at A-00116498, for taxi authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year). Respondent's assessment was \$233.

13. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

14. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

15. The Commission received no objections from Respondent to the assessment amount set forth in the 2015-2016 Fiscal Year assessment invoice.

16. Respondent failed to pay the amount of its 2015-2016 Fiscal Year assessment invoice.

17. The total outstanding assessment balance for Respondent is \$233.

Violation

18. That Respondent failed to satisfy its 2015-2016 Fiscal Year assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$35.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$268, which consists of its outstanding assessment balance of \$233 and a civil penalty of \$35 for the above-described violations; and

(b) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 4, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 4, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in

your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. David M. Saul;
Docket No. C-2016-2543173**

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against David M. Saul (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is David M. Saul and maintains his principal place of business at 469 Isle Road Butler, PA 16001, Attention: David M. Saul.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as he is engaged in transporting property in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about October 24, 2006, at A-00123123, for truck authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting property as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On or about February 6, 2015, the Commission mailed to Respondent an assessment report for Respondent to report his gross intrastate operating revenues for the 2014 calendar year.

13. The assessment report was accompanied by a letter, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2015.

14. Respondent failed to file an assessment report stating his 2014 calendar year revenues.

15. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year) that was based, in part, on Respondent's estimated revenues for the 2014 calendar year. Respondent's assessment was \$534.

16. Accompanying the assessment invoice was a notice that informed Respondent that he was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

17. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

18. The Commission received no objections from Respondent to this assessment.

19. Respondent failed to pay the amount of his 2015-2016 Fiscal Year assessment invoice.

20. The total outstanding assessment balance for Respondent is \$534.

*Violations**COUNT 1*

21. That Respondent failed to report his gross intrastate operating revenues for the 2014 calendar year in that he did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$1,000.

COUNT 2

22. That Respondent failed to satisfy his 2015-2016 Fiscal Year assessment in that he did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 15% of the outstanding assessment balance or \$80.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,614, which consists of his outstanding assessment balance of \$534 and a total civil penalty of \$1,080 for the above-described violations;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

- (1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;
- (2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and
- (3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 3, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 3, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Leroy Mickens, III, t/a Big Time's Night Train; Docket No. C-2016-2542914

COMPLAINT

Now Comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by its prosecuting attorneys, and files this Complaint against Leroy Mickens, III, t/a Big Time's Night Train (Respondent), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, et seq.

2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).

3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Gina L. Lauffer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.787.8754
ginlauffer@pa.gov

Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

4. Respondent is Leroy Mickens, III, t/a Big Time's Night Train and maintains its principal place of business at 751 Cypress Street, P.O. Box 0086, Lansdowne, PA 19050, Attention: Leroy Mickens, III.

5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a certificate of public convenience on or about July 8, 2005, at A-00121227, for limousine authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, inter alia, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations.

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

Factual Background

12. On June 1, 2010, the Commission's former Bureau of Transportation and Safety¹ filed a Complaint against Respondent at Docket No. C-2010-2171403, alleging that Respondent violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c), by failing to pay assessments that were issued in 2007, 2008 and 2009, with a cumulative outstanding assessment amount totaling \$5,448.

13. On or about June 30, 2010, Respondent paid the entire outstanding assessment amount of \$5,448 and the matter was marked closed.

¹ Motor carrier enforcement functions were transferred to I&E as part of the Commission's reorganization. See Implementation of Act 129 of 2008; Organization of Bureaus and Offices, Docket No. M-2008-2071852 (Order entered August 11, 2011).

2015-2016 Fiscal Year

14. On or about February 6, 2015, the Commission mailed to Respondent an assessment report for Respondent to report its gross intrastate operating revenues for the 2014 calendar year.

15. The assessment report was accompanied by a letter, which notified Respondent that the report was to be completed and returned to the Commission on or before March 31, 2015.

16. Respondent failed to file an assessment report stating its 2014 calendar year revenues.

17. On or about September 10, 2015, the Commission mailed to Respondent an assessment invoice for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year) that was based, in part, on Respondent's estimated revenues for the 2014 calendar year. Respondent's assessment was \$596.

18. Accompanying the assessment invoice was a notice that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

19. There is no record that the assessment invoice was returned in the mail to the Commission as being undeliverable.

20. The Commission received no objections from Respondent to this assessment.

21. Respondent failed to pay the amount of its 2015-2016 Fiscal Year assessment invoice.

22. The total outstanding assessment balance for Respondent is \$596.

Violations

23. That Respondent failed to report its gross intrastate operating revenues for the 2014 calendar year in that it did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). I&E's proposed civil penalty for this violation is \$1,000.

24. That Respondent failed to satisfy its 2015-2016 Fiscal Year assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E's proposed civil penalty for this violation is 25% of the outstanding assessment balance or \$149. This civil penalty is based, in part, on Respondent's history of noncompliance with the Public Utility Code involving a failure to timely pay assessments, as set forth above.

Wherefore, for all the foregoing reasons, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement respectfully requests that:

(a) Respondent be ordered to pay a total of \$1,745, which consists of its outstanding assessment balance of \$596 and a total civil penalty of \$1,149 for the above-described violations;

(b) Respondent be directed to file assessment reports on a going-forward basis; and

(c) If payment of the civil penalty and assessment is not made, the Bureau of Investigation and Enforcement requests that:

(1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;

(2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and

(3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,
Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

Date: May 2, 2016

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: May 2, 2016

Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania" and mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

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ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1238. Filed for public inspection July 15, 2016, 9:00 a.m.]

Telecommunications Services

A-2016-2543613. NEP TelCom, Inc. Application of NEP TelCom, Inc. for approval to offer, render, furnish or supply telecommunications services as a competitive local exchange carrier to the public in this Commonwealth in the service territories of all incumbent local exchange carriers.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before August 1, 2016. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.pa.gov and at the applicant's business address.

Applicant: NEP TelCom, Inc.

Through and By Counsel: Charles E. Thomas, III, Thomas, Niesen & Thomas, LLC, 212 Locust Street, Suite 600, Harrisburg PA 17101

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 16-1239. Filed for public inspection July 15, 2016, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 16-074.1, Constitution Avenue

Road Repairs, until 2 p.m. on Thursday, August 18, 2016. Information (including mandatory prebid information) can be obtained from the web site www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JACK DEMPSEY,
Deputy Executive Director

[Pa.B. Doc. No. 16-1240. Filed for public inspection July 15, 2016, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 16-053.S, RFP for Auditing Services, until 2 p.m. on Wednesday, August 24, 2016. Information (including mandatory preproposal information) can be obtained from the web site www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JACK DEMPSEY,
Deputy Executive Director

[Pa.B. Doc. No. 16-1241. Filed for public inspection July 15, 2016, 9:00 a.m.]

Request for Proposals

The Philadelphia Regional Port Authority will accept sealed proposals for Project No. 16-072.S, RFP for Insurance—Liability Services, until 2 p.m. on Thursday, August 25, 2016. Information (including mandatory preproposal information) can be obtained from the web site www.philaport.com under "Our Port," then "Procurement" or call (215) 426-2600.

JACK DEMPSEY,
Deputy Executive Director

[Pa.B. Doc. No. 16-1242. Filed for public inspection July 15, 2016, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) approved by rule the following list of projects from May 1, 2016, through May 31, 2016.

For further information contact Jason E. Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436, joyler@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process in 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period previously specified:

Approvals By Rule Issued Under 18 CFR 806.22(f)

1. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad I, ABR-201111014.R1, Cummings

Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: May 2, 2016.

2. Range Resources—Appalachia, LLC, Pad ID: Null, Eugene Unit # 2H—# 7H Drilling Pad, ABR-201104011.R1, Lewis Township, Lycoming County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 2, 2016.

3. Seneca Resources Corporation, Pad ID: Gamble Pad C Alt, ABR-201605001, Gamble Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 2, 2016.

4. SWEPI, LP, Pad ID: Butler 853, ABR-201103037.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 2, 2016.

5. Chesapeake Appalachia, LLC, Pad ID: Donovan, ABR-201110016.R1, Ulster Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 2, 2016.

6. Chesapeake Appalachia, LLC, Pad ID: Gardner, ABR-201110020.R1, Albany Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 2, 2016.

7. Chesapeake Appalachia, LLC, Pad ID: Laurel, ABR-201110004.R1, Overton Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 2, 2016.

8. Anadarko E&P Onshore, LLC, Pad ID: Lycoming H&FC Pad E, ABR-201105013.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 5, 2016.

9. Anadarko E&P Onshore, LLC, Pad ID: Larrys Creek F&G Pad H, ABR-201106019.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 5, 2016.

10. Anadarko E&P Onshore, LLC, Pad ID: H. Lyle Landon Pad A, ABR-201106020.R1, Cogan House Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 5, 2016.

11. Anadarko E&P Onshore, LLC, Pad ID: COP Tract 728 Pad B, ABR-201106027.R1, Watson Township, Lycoming County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 5, 2016.

12. Range Resources—Appalachia, LLC, Pad ID: Gulf USA # 63H Drilling Pad, ABR-201103043.R1, Snow Shoe Township, Centre County, PA; Consumptive Use of Up to 5.0000 mgd; Approval Date: May 5, 2016.

13. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad G, ABR-201109005.R1, McHenry Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: May 5, 2016.

14. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 293 Pad H, ABR-201111013.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: May 5, 2016.

15. Pennsylvania General Energy Company, LLC, Pad ID: COP Tract 729 Pad B, ABR-201111015.R1, Cummings Township, Lycoming County, PA; Consumptive Use of Up to 3.5000 mgd; Approval Date: May 5, 2016.

16. Cabot Oil & Gas Corporation, Pad ID: VandermarkR P1, ABR-201107029.R1, Dimock Township, Susquehanna County, PA; Consumptive Use of Up to 3.5750 mgd; Approval Date: May 11, 2016.

17. Chief Oil & Gas, LLC, Pad ID: Elliott B Drilling Pad # 1, ABR-201109030.R1, Monroe Township, Bradford

County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 11, 2016.

18. SWEPI, LP, Pad ID: M L Mitchell Trust 554, ABR-201103017.R1, Middlebury Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 11, 2016.

19. SWEPI, LP, Pad ID: Salevsky 335, ABR-201103046.R1, Charleston Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 11, 2016.

20. Cabot Oil & Gas Corporation, Pad ID: GreenwoodR P2, ABR-201605002, Bridgewater Township, Susquehanna County, PA; Consumptive Use of Up to 4.2500 mgd; Approval Date: May 13, 2016.

21. Chief Oil & Gas, LLC, Pad ID: Kerr B Drilling Pad # 1, ABR-201109031.R1, Lathrop Township, Susquehanna County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 13, 2016.

22. EOG Resources, Inc., Pad ID: PHC Pad DD, ABR-201103025.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

23. EOG Resources, Inc., Pad ID: PHC Pad CC, ABR-201103027.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

24. EOG Resources, Inc., Pad ID: PHC Pad BB, ABR-201103028.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

25. EOG Resources, Inc., Pad ID: COP Pad S, ABR-201103029.R1, Lawrence Township, Clearfield County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

26. EOG Resources, Inc., Pad ID: HOUSER 1H Pad, ABR-201107018.R1, Burlington Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

27. EOG Resources, Inc., Pad ID: CRANE Pad, ABR-201107023.R1, Smithfield Township, Bradford County, PA; Consumptive Use of Up to 4.9990 mgd; Approval Date: May 13, 2016.

28. SWN Production Company, LLC, Pad ID: Price Pad, ABR-201104017.R1, Lenox Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

29. SWN Production Company, LLC, Pad ID: Lyncott Corp Pad, ABR-201107044.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

30. SWN Production Company, LLC, Pad ID: Bark'em Squirrel Pad, ABR-201107045.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

31. SWN Production Company, LLC, Pad ID: Cramer Pad, ABR-201108007.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

32. SWN Production Company, LLC, Pad ID: Roman Pad, ABR-201108020.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

33. SWN Production Company, LLC, Pad ID: Folger Pad, ABR-201108022.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

34. SWN Production Company, LLC, Pad ID: Grizzanti Pad, ABR-201108023.R1, New Milford Township, Susquehanna County, PA; Consumptive Use of Up to 4.9900 mgd; Approval Date: May 17, 2016.

35. Talisman Energy USA, Inc., Pad ID: 05 253 Senn W, ABR-201106001.R1, Windham Township, Bradford County, PA; Consumptive Use of Up to 6.0000 mgd; Approval Date: May 17, 2016.

36. Chesapeake Appalachia, LLC, Pad ID: Alkan, ABR-201110021.R1, Wilmot Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 25, 2016.

37. Chesapeake Appalachia, LLC, Pad ID: Bodolus, ABR-201111028.R1, Litchfield Township, Bradford County, PA; Consumptive Use of Up to 7.5000 mgd; Approval Date: May 25, 2016.

38. Chief Oil & Gas, LLC, Pad ID: Kuziak Drilling Pad # 1, ABR-201107028.R1, Fox Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 25, 2016.

39. Chief Oil & Gas, LLC, Pad ID: Savage Drilling Pad # 1, ABR-201108018.R1, Elkland Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 25, 2016.

40. Chief Oil & Gas, LLC, Pad ID: Yonkin Drilling Pad # 1, ABR-201109020.R1, Cherry Township, Sullivan County, PA; Consumptive Use of Up to 2.0000 mgd; Approval Date: May 25, 2016.

41. SWEPI, LP, Pad ID: Root # 1, ABR-201605003, Jackson Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 25, 2016.

42. SWEPI, LP, Pad ID: Hector 2, ABR-201605004, Hector Township, Potter County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 25, 2016.

43. Seneca Resources Corporation, Pad ID: DCNR 007 Pad G, ABR-201605005, Shippen Township, Tioga County, PA; Consumptive Use of Up to 4.0000 mgd; Approval Date: May 25, 2016.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: July 6, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-1243. Filed for public inspection July 15, 2016, 9:00 a.m.]

Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on August 4, 2016, at 2:30 p.m. at the Pennsylvania State Capitol, Room 8E-B, East Wing, Commonwealth Avenue, Harrisburg, PA. The public hearing will end at 5 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on a proposal to rescind its Information Technology Services Fee Policy.

The projects and the proposal are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for September 8, 2016, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposal. The deadline for the submission of written comments is August 15, 2016.

For further information contact Jason Oyler, General Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission's Water Resource Portal at www.srbc.net/wrp. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf.

Supplementary Information

The public hearing will cover a proposed rescission to the Commission's Information Technology Services Fee Policy, as posted on the Commission's Public Participation Center webpage at www.srbc.net/pubinfo/publicparticipation.htm. The public hearing will also cover the following projects:

Projects Scheduled for Action

1. Project Sponsor and Facility: Bloomfield Borough Water Authority, Centre Township, Perry County, PA. Application for groundwater withdrawal of up to 0.302 mgd (30-day average) from Well 3.

2. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Susquehanna River), Great Bend Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 2.000 mgd (peak day) (Docket No. 20120904).

3. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, PA. Application for groundwater withdrawal of up to 0.201 mgd (30-day average) from Well 1.

4. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.106 mgd (30-day average) from Well 3.

5. Project Sponsor and Facility: Elizabethtown Area Water Authority, Elizabethtown Borough, Lancaster County, PA. Application for groundwater withdrawal of up to 0.130 mgd (30-day average) from Well 4.

6. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.187 mgd (30-day average) from Well 8.

7. Project Sponsor and Facility: Elizabethtown Area Water Authority, Mount Joy Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.216 mgd (30-day average) from Well 9.

8. Project Sponsor: Exelon Generation Company, LLC. Project Facility: Muddy Run Pumped Storage Project, Drumore and Martic Townships, Lancaster County, PA. Application for an existing hydroelectric facility.

9. Project Sponsor and Facility: Geisinger Health System, Mahoning Township, Montour County, PA. Modification to increase consumptive water use by an additional 0.319 mgd (peak day), for a total consumptive water use of up to 0.499 mgd (peak day) (Docket No. 19910103).

10. Project Sponsor and Facility: Gilberton Power Company, West Mahanoy Township, Schuylkill County, PA. Application for renewal of consumptive water use of up to 1.510 mgd (peak day) (Docket No. 19851202).

11. Project Sponsor and Facility: Gilberton Power Company, West Mahanoy Township, Schuylkill County, PA. Application for groundwater withdrawal of up to 1.870 mgd (30-day average) from the Gilberton Mine Pool.

12. Project Sponsor and Facility: Manbel Devco I, LP, Manheim Township, Lancaster County, PA. Application for groundwater withdrawal of up to 4.320 mgd (30-day average) from the Belmont Quarry.

13. Project Sponsor: Pennsylvania American Water Company. Project Facility: Nittany Water System, Walker Township, Centre County, PA. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Nittany Well 1.

14. Project Sponsor and Facility: Republic Services of Pennsylvania, LLC, Windsor and Lower Windsor Townships, York County, PA. Application for renewal of groundwater withdrawal of up to 0.350 mgd (30-day average) from groundwater remediation wells (Docket No. 19860903).

15. Project Sponsor and Facility: SWN Production Company, LLC, Herrick Township, Bradford County, PA. Application for groundwater withdrawal of up to 0.101 mgd (30-day average) from the Fields Supply Well.

16. Project Sponsor and Facility: Talisman Energy USA, Inc. (Susquehanna River), Sheshequin Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20120912).

17. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Chiques Creek), West Hempfield Township, Lancaster County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

18. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-1), Conestoga Township, Lancaster County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

19. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-1), Conestoga Township, Lancaster County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

20. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-2), Conestoga Township, Lancaster County, PA. Application for surface water withdrawal of up to 2.592 mgd (peak day).

21. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Conestoga River-2), Conestoga Township, Lancaster County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

22. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Deep Creek), Hegins Township, Schuylkill County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

23. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Fish-

ing Creek), Sugarloaf Township, Columbia County, PA. Application for surface water withdrawal of up to 2.592 mgd (peak day).

24. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Little Fishing Creek), Mount Pleasant Township, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

25. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Pequea Creek), Martic Township, Lancaster County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

26. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Roaring Creek), Franklin Township, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

27. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River), Eaton Township, Wyoming County, PA. Application for surface water withdrawal of up to 2.592 mgd (peak day).

28. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River), Eaton Township, Wyoming County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

29. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-1), Montour Township and Catawissa Borough, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

30. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-1), Montour Township and Catawissa Borough, Columbia County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

31. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-2), Montour Township, Columbia County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

32. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Susquehanna River-2), Montour Township, Columbia County, PA. Application for consumptive water use of up to 0.100 mgd (peak day).

33. Project Sponsor and Facility: Transcontinental Gas Pipe Line Company, LLC. Project: Atlantic Sunrise (Swatara Creek), East Hanover Township, Lebanon County, PA. Application for surface water withdrawal of up to 2.880 mgd (peak day).

34. Project Sponsor and Facility: Village of Windsor, Broome County, NY. Application for groundwater withdrawal of up to 0.380 mgd (30-day average) from Well 2.

35. Project Sponsor and Facility: West Manchester Township Authority, West Manchester Township, York County, PA. Application for groundwater withdrawal of up to 0.216 mgd (30-day average) from Well 7.

Opportunity to Appear and Comment

Interested parties may appear at the hearing to offer comments to the Commission on any project or proposal listed previously. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Rules of conduct will be posted on the Commission's web site, www.srb.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement the rules at the hearing. Written comments on any project listed previously may also be mailed to Jason Oyler, General Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788 or submitted electronically through www.srb.net/pubinfo/publicparticipation.htm. Comments mailed or electronically submitted must be received by the Commission on or before August 15, 2016, to be considered.

Authority: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: June 30, 2016.

ANDREW D. DEHOFF,
Executive Director

[Pa.B. Doc. No. 16-1244. Filed for public inspection July 15, 2016, 9:00 a.m.]

